

**COMMANDING RIGHT
AND FORBIDDING
WRONG IN
ISLAMIC THOUGHT**

MICHAEL COOK

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COMMANDING RIGHT AND FORBIDDING WRONG IN ISLAMIC THOUGHT

What kind of duty do we have to try to stop other people doing wrong? The question is intelligible in just about any culture, but few of them seek to answer it in a rigorous fashion. The most striking exception is found in the Islamic tradition, where 'commanding right and forbidding wrong' is a central moral tenet already mentioned in the Koran. As a historian of Islam whose research has ranged widely over space and time, Michael Cook is well placed to interpret this complex yet fascinating subject. His book, which represents the first sustained attempt to map the history of Islamic reflection on this obligation, covers the origins of Muslim thinking about 'forbidding wrong', the relevant doctrinal developments over the centuries in all the major Islamic sects and schools, and its significance in Sunnī and Shī'ite thought today. In this way, the book contributes to the understanding of contemporary Islamic politics and ideology and raises fundamental questions for the comparative study of ethics.

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PREFACE

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In the early evening of Thursday 22 September 1988, a woman was raped at a local train station in Chicago in the presence of several people.

A brief account of the incident appeared that Sunday in the *New York Times*, based on what the police had said on the Friday.¹ The salient feature of the incident in this account was that nobody had moved to help the victim, and her cries had gone unheeded – for all that the rape took place during the rush hour. As Detective Daisy Martin put it: ‘Several people were looking and she asked them for help, and no one would help.’

A longer account which likewise appeared on the Sunday in the *Chicago Tribune*² placed the matter in a very different light. Quoting what the police had said on the Saturday, the article began by stating that six bystanders were to be recommended for citizen’s awards for their work in helping the police arrest and identify the suspect. The account that followed emphasised two features of the situation which did not emerge from the notice in the *Times*. The first was that the rape took place in a part of the station to which access was blocked by an exit-only turnstile. The second was that the bystanders were confused in their understanding of what was going on: the rapist had ordered his victim to smile, which she did. Although at one point she reportedly mouthed the word ‘help’, it was only after her assailant had run off that she screamed. Initially, at least, the bystanders took the woman to be engaged in voluntary sex. But one young bystander, Randy Kyles, took a second look and thought, ‘Man, this is strange.’ Something seemed not to be right, so he did not get on his train when it came in. (Others on the platform, by contrast, remarked that what was happening was weird, but nevertheless boarded the train.) When the victim ran up the steps screaming that she had been raped, Kyles chased

¹ *The New York Times*, 25 September 1988, 33.

² *The Chicago Tribune*, 25 September 1988, Section 2, 1. All further information on the incident is taken from this account.

after the rapist, eventually flagging down a police car and getting him arrested. Kyles later explained his action as follows: 'I had to do something to help that woman. It just wasn't right. It could have been my mother, my aunt, one of my mother's friends.'³

It is clear from these accounts that neither paper considered a rape at a local station in Chicago to be newsworthy in itself. The focus of journalistic attention – and the anticipated focus of the reader's interest – was the conduct of the bystanders. The account given in the *Times*, which went back to Detective Daisy Martin's statements on the Friday, placed their behaviour in a most unflattering light: though they greatly outnumbered the lone rapist, they had simply stood by and let it happen. The implication was that their conduct was shameful, and the reader reacts with appropriate indignation. How differently we would have behaved had we been there! Or at least, we hope we would have.⁴

The account given in the *Tribune*, by contrast, suggests that at least some of the bystanders, and Kyles in particular, behaved commendably. They had two good excuses for not intervening during the rape itself – the physical layout of the station, and the appearance of consent created by the coerced smiles of the woman, even if these did not look quite right. Kyles himself behaved with energy and courage when the situation became clear. He felt that he had to do something to help the woman, just as we would have felt had we been there; and we hope that we would have acted as well as he did in the distinctly confusing circumstances of the case.

Underlying these two accounts, and the remarks of Martin and Kyles, is a broad moral consensus.⁵ One cannot just stand by and watch a

³ I leave aside the roles of the other bystanders commended by the police; the part they played is in fact somewhat obscure in the account.

⁴ But then again, what if the rapist had turned out to have a gun? There is no indication that he did, although he had a record of criminal violence. He had been in jail since February after robbing a young woman and breaking her nose with a bottle, and had only been released the previous week through a clerical error. During the rape he likewise threatened his victim with a bottle. But confronting a man with an apparently unbroken bottle is significantly less dangerous than confronting a man with a gun.

⁵ Just how widely this consensus is in fact shared by the American population at large is not a question that need be taken up here. There are certainly cases where, as represented in the *New York Times* version of our incident, bystanders look on and do nothing, and such behaviour can easily be read as a product of callous indifference. A notorious example of such inaction is the murder of Kitty Genovese in Queens in 1964, in the course of a series of stabbings witnessed by thirty-eight people (see M. Hunt, *The compassionate beast: what science is discovering about the humane side of humankind*, New York 1990, 128f.; someone did shout 'Let that girl alone!', but took no further action). However, the research of social psychologists suggests that such inaction is more likely to be a product of what has been dubbed 'the bystander effect': the very fact that a number of people are present socially inhibits each one of them from stepping forward (*ibid.*, 132–5; I am

woman, even a complete stranger, being raped in a public place.⁶ Either one must do something about it; or one must have good and specific reasons for not doing anything. In other words, we have a clear conception that we have some kind of duty not just to behave decently ourselves, but to prevent others from doing things to their fellow humans which are outrageously wrong.⁷ Yet in everyday life we lack a name for the duty, still less a general formulation of the situations to which it applies and the circumstances that dispense us from it. The value is there, but it is not one that our culture has developed and systematised. ‘It just wasn’t right’ is the bottom line in Kyles’s explanation of what he did; the ‘just’ signals that, had he been pressed to explain himself further, he would have had nothing to say. We either understand or we don’t. In fact, of course, we understand perfectly well, and some of us can on occasion wax quite eloquent on the subject; but our culture provides us with no ready-made articulation of our understanding. It is true that lawyers and philosophers carry on a discussion of the conditions under which we have a duty of ‘rescue’.⁸ But this discussion is too arcane to be described as a possession of our culture at large. Randy Kyles had clearly not heard of it; nor, for that matter, had I, until I became aware of it as a by-product of my research on Islam.

Islam, by contrast, provides both a name and a doctrine for a broad moral duty of this kind. The name – *al-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar* – is somewhat unwieldy, as is its literal translation, ‘commanding right and forbidding wrong’. For simplicity, therefore, I shall usually shorten the Arabic to *al-amr bi’l-ma’rūf* in my notes, which in any case are intended mainly for the erudite and the intrepid. In my text, where I try as far as possible to avoid inflicting naked Arabic on the reader, I will normally refer to

indebted to Rhoda Howard for referring me to this very readable survey of research on altruism). If we sought to establish the extent of an American consensus, the key question would not be whether people act in such situations, but rather whether they feel ashamed when they do nothing.

⁶ On the other hand the bystanders, though ‘shocked and amazed’, do not seem to have had a problem with standing by while a couple had sex in a public place, provided the element of coercion was absent; and there is no indication that subsequent commentators felt differently. Not all cultures would take this view.

⁷ I have deliberately left blurred at this point a subtle but significant distinction brought to my attention by Margaret Gilbert. Does the duty arise from the fact that the rapist is doing wrong, or from the fact that the victim is being wronged? Kyles himself is not very clear about this. He felt he had to do something to help that woman; yet what he actually did was not to help her in any material sense, but rather to bring the wrongdoer to justice. I shall return to this distinction (see below, ch. 20, section 2).

⁸ See, for example, J. Feinberg, *The moral limits of the criminal law*, New York and Oxford 1984–8, vol. 1, ch. 4; T. C. Grey, *The legal enforcement of morality*, New York 1983, ch. 4.

the duty as ‘forbidding wrong’; this sounds less awkward in English than ‘commanding right’.⁹ The existence and general character of the duty is well known to Islamicists. It has received passing attention in one connection or another from a good many scholars, and is the subject of a concise but informative encyclopaedia article.¹⁰ It is the purpose of this book to build on this by providing a full monographic treatment of forbidding wrong.¹¹ I should make it clear from the start that my interest here is in the duty of individual believers; this book is only tangentially concerned with the place of rulers in forbidding wrong, or with the officially appointed censor (*muḥtasib*) and his administrative role (*ḥisba*).

The first objective of the book is to set out an intelligible account of the duty as it appears in the scholastic literature of Islam. In one way this

⁹ Occasionally a distinction is insisted on between *al-amr bi’l-ma’rūf* and *al-nahy ‘an al-munkar*, but this is the exception rather than the rule. The Persian exegete Maybudī (writing in 520/1126) quotes an anonymous saying to the effect that *al-nahy ‘an al-munkar* is a weightier duty than *al-amr bi’l-ma’rūf* (*Kashf al-asrār*, Tehran 1331–9 sh., 2:234.9 (to Q3:104); for this work, see below, ch. 2, note 23); the Ḥanbalite Abū Ya’lā ibn al-Farrā’ (d. 458/1066) makes a distinction between the two (see below, ch. 6, note 127); likewise some accounts of the duty separate the two for purposes of exposition, or treat only one of them (see, for example, below, ch. 9, note 121, and ch. 11, note 69). On the other hand, the Imāmī exegete Ṭabrisī (d. 548/1153) remarks à propos of Q9:112 that *al-amr bi’l-ma’rūf* includes *al-nahy ‘an al-munkar*, and that it is as though they are one thing (*ka-annahumā shay’ wāḥid*) (*Majma‘ al-bayān fī tafsīr al-Qur’ān*, Qumm 1403, 3:76.4; cf. also the Shāfi‘ite Kamāl al-Dīn ibn al-Zamlakānī (d. 727/1326f.) in a philological analysis of Q9:112 *apud* Tāj al-Dīn al-Subkī (d. 771/1370), *Ṭabaqāt al-Shāfi‘iyya al-kubrā*, ed. M. M. al-Ṭanāḥī and ‘A. M. al-Ḥulw, Cairo 1964–76, 9:203.2; the Imāmī Karakī (d. 940/1534) (*Fawā’id al-Sharā’i‘*, ms. Princeton, Arabic Manuscripts, New Series 695, f. 138a.15; for this manuscript, see R. Mach and E. L. Ormsby, *Handlist of Arabic manuscripts (New Series) in the Princeton University Library*, Princeton 1987, 300 no. 1332); the Ḥanafī ‘Alī al-Qārī (d. 1014/1606) (*Sharḥ ‘Ayn al-ilm*, Cairo 1351–3, 1:433.27); and the view of Ibn Taymiyya cited below, ch. 7, note 69). For a late scholastic dispute over the question whether the term *al-nahy ‘an al-munkar* can be held to be redundant alongside *al-amr bi’l-ma’rūf* on the ground that ‘commanding something is forbidding its opposite’, see ‘Abd al-Bāqī al-Zurqānī (d. 1099/1688), *Sharḥ*, Cairo 1307, 3:109.9, and Bannānī (d. 1163/1750), *Ḥāshiyā*, in the margin of Zurqānī, *Sharḥ*, 3:109.1; the argument goes back to the omission of ‘forbidding wrong’ in Khalīl ibn Iṣḥāq (d. 767/1365), *Mukhtaṣar*, ed. Ṭ. A. al-Zāwī, Cairo n.d., 111.5. See also the anecdote quoted below, ch. 4, 71, where a traditionist attempts to get out of trouble by making a distinction.

¹⁰ *Encyclopaedia Iranica*, London 1982–, art. ‘Amr be ma’rūf’ (W. Madelung). There is no article on *al-amr bi’l-ma’rūf* in the first or second editions of the *Encyclopaedia of Islam*, or their supplements to date.

¹¹ In principle, I am interested in all Islamic manifestations of this moral value, irrespective of how they are expressed. In practice I have traded heavily on the salience of the phrase *al-amr bi’l-ma’rūf* in this context: treatments are readily located in works that devote a chapter to it, and the phrase is easy to scan for in those that do not. I have not deliberately discriminated against material that employs the term *ghayyara* (cf. below, ch. 3, 34), but this usage is a lot harder to spot in a page of Arabic text. I have given scant attention at best to material that does not employ one or other of these usages. In other words, my principled conceptual aspirations may not always have been well served by my pragmatic lexical methods.

prosaic task is simple enough. A typical account of the duty in this literature will run to no more than a few pages, and these will rarely be characterised by the baffling abstraction of discussions of divine attributes, or the excruciating technicality of the law of inheritance. What makes the research time-consuming and its presentation complicated is the fact that there are very many such accounts, and that the doctrine they present is far from uniform. It varies with time and place, from sect to sect, from school to school, and from scholar to scholar. As a glance at the table of contents will show, I have chosen to present the bulk of the material by schools and sects; within them, the organisation is largely chronological. Not all readers will want to read all of this material; but those that do will find that, while some of it is tedious, most of it is reasonably accessible.

The book has further objectives which go beyond the modest aim of describing a scholastic tradition. As a historian of ideas, I naturally aspire to explain why Islam came to have such a doctrine, and why this doctrine varied as it did from one milieu to another. As a historian of society, I would like to know how this intellectual tradition was related to the society in which it flourished, and what difference it made to life on the street. It will not surprise anyone that my achievement in these respects is a much more limited one. The limitations are sometimes those of my own knowledge. For example, I would never have completed this book had I not in many cases confined my reading of a work to its chapter on forbidding wrong; this undoubtedly means that I have on occasion missed other relevant features of an author's thought. Sometimes the limitations are those of the sources. For example, it is notorious that we tend to know too much about scholars in the pre-modern Islamic world and too little about anyone else – apart from rulers.¹² Moreover, 'practice' in this book almost invariably means practice as described in Islamic literary sources. And sometimes the limitations we are up against arise from the inherent murkiness of historical causality, even where information is vastly more abundant than it is for most of Islamic history.

The overall structure of the book should be seen against this background. Part I is intended to lay the descriptive foundations; its core is the analysis of the normative material found in the Koran, Koranic exegesis, tradition and biographical literature about early Muslims. Part II is devoted to the Ḥanbalites; the reason for this lengthy treatment is not any intellectual sophistication in Ḥanbalite doctrine, but rather the relative abundance of

¹² It should thus come as no surprise that much of the discussion in this book turns on the relationship between scholars and rulers.

material which can be used to relate the doctrine to practice. Part III, by contrast, is concerned with the groups that offer the richest documentation for the intellectual history of the duty – the Mu‘tazilites and their Zaydī and Imāmī heirs. Part IV collects the remaining sects and schools, and ends with a chapter pulling together the discussion of classical Islam. Part V is more ambitious. It starts by surveying the place of forbidding wrong in modern Islam; the scope of the survey is limited, however, by the fact that the only Islamic languages I read in some fashion, other than Arabic and English, are Persian and Turkish. In the last two chapters I take up the question of the pre-Islamic antecedents of the duty, and offer some comparisons with non-Islamic cultures, including that of the modern West.

The structure of the book is perhaps less in need of apology than its dimensions. In the decade since I began serious work on the project, I have watched the growth of the typescript with increasing alarm, and my attempts to cut it back in the final stages of editing have met with only limited success. The result of my labours is not, I think, the largest book on forbidding wrong ever written; for this, the prize still goes to the Damascene Zayn al-Dīn al-Ṣāliḥī (d. 856/1452).¹³ But mine may well retain for some considerable time the distinction of being the largest in a Western language.¹⁴ If it is any consolation to my colleagues, I have no intention of writing a book of this length again.

Some remarks on conventions of transcription and citation can be found at the beginning of the bibliography. Where a passage from a primary source has already been adduced by a previous scholar in a relevant context, I have generally (but not invariably) acknowledged this.¹⁵ When I give a cross-reference to a footnote, it may in fact refer to the text immediately preceding the note-indicator in question.

Finally, a word on technology. The passage of time will make it increasingly obvious that this book is the product of an era when Islamic texts were not yet available in significant numbers on CD-ROMs.

¹³ See below, ch. 7, 161. The work runs to 854 pages in the *Riyāḍ* edition.

¹⁴ A contemporary work in Arabic on a large scale is that of Dr ‘Abd al-‘Azīz Aḥmad al-Mas‘ūd (see below, ch. 18, note 1); but to my knowledge his promised second volume has yet to appear.

¹⁵ But note that when I say that a passage was cited by a previous scholar, this does not necessarily mean that he cited it from the edition to which I refer.

ACKNOWLEDGEMENTS

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The research on which this book is based was begun while I held a position in the History Department of the School of Oriental and African Studies in the University of London. The bulk of it, however, was carried out after I joined the Department of Near Eastern Studies at Princeton in 1986, mostly during semesters of leave. During this phase of the work, I received from the University Committee on Research in the Humanities and Social Sciences several small but strategic grants which funded particular aspects of my research. For one semester of full-time leave in the spring of 1990 I was supported by a generous grant from the Guggenheim Foundation, and in 1995 I was the recipient of a National Endowment for the Humanities Summer Stipend.

Like any scholar working in such a field, I have depended on a number of research libraries in a variety of countries, both for printed works and for microfilms of manuscripts (a good many of them since published). For the latter I am grateful in particular to the British Library, Leiden University Library, the Staatsbibliothek zu Berlin, the Vatican Library, the Süleymaniye Library, Istanbul, and the Maktabat al-Asad, Damascus. I also benefited considerably from access to the relevant files of the İslâm Araştırmaları Merkezi, Üsküdar, and would like to thank Tufan Buzpınar and Ayhan Aykut of the Centre for their help in this and other connections. But the foundation of my research has been the superb Islamic collection of the Firestone Library at Princeton and the helpfulness of its staff (I am particularly indebted to Azar Ashraf for first aid in Persian matters).

I owe my earliest sense of the significance of forbidding wrong in Islamic thought to conversations with Fritz Zimmermann, and my first opportunity to put some ideas together on the subject to Roy Mottahedeh, who in the spring of 1985 organised a conference at Princeton on 'Justice and Injustice in Islamic Political Thought'. Over the years I have used much of the material in the book for talks and lectures delivered in various academic

contexts. In particular, a draft of chapter 5 was presented in written form to the fifth colloquium on the theme 'From Jahiliyya to Islam' held in Jerusalem in July 1990,¹ and a draft of chapter 14 to a conference on 'Saber religioso y poder político en el Islam' held at the Escuela de Estudios Árabes in Granada in October 1991. I am grateful to the respective organisers for the opportunity to discuss the material with specialist audiences.

Numerous scholars have helped me by giving me references and answering my queries, and I have done my best to acknowledge them in their proper places. I owe one of my first references to Basim Musallam, and a quite disproportionate number of them to Nurit Tsafrir and Maribel Fierro. I have incurred a special debt to my colleague Şükrü Hanioglu for material that would otherwise have been inaccessible to me. A number of colleagues read parts of this work at various stages of drafting, and gave me their suggestions and comments. The first attempt I made to put together a substantial paper on forbidding wrong was read and thoroughly criticised by Ella Landau-Tasseron. A draft of chapter 2 was read by Etan Kohlberg and Uri Rubin. A first, primitive, version of chapter 5 was read by Emmanuel Sivan. Drafts of the chapters on the Ḥanbalites were read by Nimrod Hurvitz, Frank Stewart, Sarah Stroumsa and Nurit Tsafrir. A draft of chapter 8 was read by Fred de Jong, one of chapter 12 by Şükrü Hanioglu, one of chapter 14 by Maribel Fierro, and one of chapter 18 by Houchang Chehabi. Drafts of the preface and chapter 19 benefited from the sharp philosophical eye of Margaret Gilbert. Patricia Crone, Gerald Hawting, Etan Kohlberg and Everett Rowson read and commented extensively on a draft of the entire study.

So also did my colleague Hossein Modarressi, to whom I owe a special debt for numerous references and much material not separately acknowledged, for extensive help with queries of all kinds, and for enabling me to understand countless things that would otherwise have remained opaque to me. Without all this, the book would have been immeasurably poorer.

In the course of writing the book, I have received much good advice from many sides. I know that I have not always followed it. Particularly towards the end of the process, I have become almost as disinclined to make drastic revisions to what I have written as Pontius Pilate. If I have persevered in error, the responsibility is mine alone.

In very practical terms, I owe an enormous debt to my wife, Kim. Without her help in numerous connections, the book would have taken

¹ A summary of the material and a few of the ideas presented in this draft appear with acknowledgement in C. Gilliot, 'Islam et pouvoir: la commanderie du bien et l'interdiction du mal', *Communio*, 16 (1991).

twice as long to write, or alternatively have ended up half the size (an outcome she would have been the last to regret).

Last but not least, I would like to express my appreciation to Lennart Sundelin for his courage in undertaking the indexing of so large a book, and to my department for a generous contribution towards the expenses of its publication.

PART I



INTRODUCTORY

CHAPTER 1

THE GOLDSMITH OF MARW

In the year 131/748f. the rebellion which was to overthrow the Umayyad dynasty had already been launched. The ‘Abbāsīd army was advancing on Iraq, while the architect of the revolution, Abū Muslim (d. 137/755), remained in Marw, effectively ruling Khurāsān. His exercise of his power was nevertheless challenged – if only morally – by a local goldsmith (ṣā’igh), one Abū Ishāq Ibrāhīm ibn Maymūn.¹ This goldsmith went into the presence of Abū Muslim and addressed him in these words: ‘I see nothing more meritorious I can undertake in God’s behalf than to wage holy war against you. Since I lack the strength to do it with my hand, I will do it with my tongue. But God will see me, and in Him I hate you.’ Abū Muslim killed him.² Centuries later, his tomb was still known and visited in the ‘inner city’ of Marw.³

¹ This incident, and its significance, were first discussed in W. Madelung, ‘The early Murji’a in Khurāsān and Transoxania and the spread of Ḥanafism’, *Der Islam*, 59 (1982), 35f. Madelung based his account on the entry on Ibrāhīm ibn Maymūn in Ibn Abī ‘l-Wafā’ (d. 775/1373), *al-Jawābir al-mudīyya fī ṭabaqāt al-Ḥanafīyya*, Hyderabad 1332, 1:49.11, citing also Ṭabarī (d. 310/923), *Ta’rīkh al-rusul wa’l-mulūk*, ed. M. J. de Goeje *et al.*, Leiden 1879–1901, series II, 1919.1. In the addenda to the reprint of his article in his *Religious schools and sects in medieval Islam*, London 1985 (item III, 39a), he added a reference to the entry in Ibn Sa’d (d. 230/845), *al-Ṭabaqāt al-kabīr*, ed. E. Sachau *et al.*, Leiden 1904–21, 7:2:103.6. In what follows, I have extended this documentation; however, my findings lead me to modify Madelung’s conclusions only on one point (see below, note 19). The goldsmith was first mentioned by Halm, who however stated erroneously that he was qāḍī of Marw (H. Halm, *Die Ausbreitung der šāfi’itischen Rechtsschule von den Anfängen bis zum 8./14. Jahrhundert*, Wiesbaden 1974, 88). More recently van Ess has discussed him in his monumental history of early Islamic theology (J. van Ess, *Theologie und Gesellschaft im 2. und 3. Jahrhundert Hidschra*, Berlin and New York 1991–7, 2:548f.), with some further references of which the more significant will be noted below. See also M. Q. Zaman, *Religion and politics under the early ‘Abbāsids*, Leiden 1997, 71 n. 6, 72 n. 7.

² See Madelung, ‘The early Murji’a’, 35, citing Ibn Abī ‘l-Wafā’, *Jawābir*, 1:50.7.

³ Sam’ānī (d. 562/1166), *Ansāb*, ed. ‘A. al-Mu’allimī al-Yamānī, Hyderabad 1962–82, 8:267.9; for the ‘inner city’ of Marw, see G. Le Strange, *The lands of the eastern caliphate*, Cambridge 1905, 398f. It should be noted that Sam’ānī’s *tarjama* of the goldsmith comes to us in two very different recensions. There is a short form, for which Sam’ānī borrowed the entry in Ibn Ḥibbān (d. 354/965), *Thiqāt*, Hyderabad 1973–83, 6:19.7, adding an

We do not need to concern ourselves with the origins or historicity of this story.⁴ It suffices that Abū Muslim killed the goldsmith, or had him killed,⁵ and that it was the religio-political stance of the goldsmith that brought this upon him.⁶ Nor need we concern ourselves with Abū Muslim's side of the story, except to note that a certain irritation on his part is understandable – this was, we are told, the third such visit he had

Footnote 3 (*cont.*)

explanation of the *nisba* and the detail about the grave; this is found in the British Library manuscript of the *Ansāb* published in facsimile by D. S. Margoliouth (Leiden and London 1912, f. 348b.15). Secondly, there is a long form marked by the insertion (very likely by Samʿānī himself) of much extra material (but without the detail about the grave); this long recension is that of the Istanbul manuscript used by Muʿallimī as the basis of his edition (see his introduction to the first volume of his edition, 33).

⁴ The account given by Ibn Abī ʿl-Wafāʾ appears already in Jaṣṣāṣ (d. 370/981), *Alḥkāṃ al-Qurʾān*, Istanbul 1335–8, 2:33.18, with a full *isnād* (and cf. *ibid.*, 1:70.22, drawn to my attention by Patricia Crone). The key figure in this *isnād* is one ʿAḥmad ibn ʿAṭīyya al-Kūfī, an alias of Aḥmad ibn Muḥammad ibn al-Ṣalt al-Ḥimmānī (d. 308/921) (for his biography, see E. Dickinson, 'Aḥmad b. al-Ṣalt and his biography of Abū Ḥanīfa', *Journal of the American Oriental Society*, 116 (1996), 409f., and for the alias, *ibid.*, 415). Traditionist circles had a low opinion of his probity as a scholar, particularly in connection with his transmissions on the virtues of Abū Ḥanīfa (d. 150/767f.) (*ibid.*, 412, 414f.). A *faṣl fī manāqib Abī Ḥanīfa* in a Cairo manuscript has been ascribed to him (*ibid.*, 413 n. 34; F. Sezgin, *Geschichte des arabischen Schrifttums*, Leiden 1967–, 1:410, 438 no. 16), but I owe to Adam Sabra the information that it does not contain our anecdote. There is a parallel version from ʿAlī ibn Harmala, a Kūfan pupil of Abū Ḥanīfa, in Ibn Ḥamdūn (d. 562/1166), *Tadhkira*, ed. I. and B. ʿAbbās, Beirut 1996, 9:279f. no. 529 (I owe this reference to Patricia Crone; for ʿAlī ibn Harmala, see al-Khaṭīb al-Baghdādī (d. 463/1071), *Taʾriḫ al-Baghdād*, Cairo 1931, 11:415.6). The story does not seem to have caught the attention of the historians; Ṭabarī mentions the goldsmith only in an earlier, and unrelated, historical context (see above, note 1), and occasionally as a narrator.

⁵ In addition to the works cited above, see particularly Bukhārī (d. 256/870), *al-Taʾriḫ al-kabīr*, Hyderabad 1360–78, 1:1:325.6 no. 1016 (whence Mizzī (d. 742/1341), *Tahdhīb al-Kamāl*, ed. B. ʿA. Maʾrūf, Beirut 1985–92, 2:224.6, and Ibn Hajar al-ʿAsqalānī (d. 852/1449), *Tahdhīb al-Tahdhīb*, Hyderabad 1325–7, 1:173.3); Fasawī (d. 277/890), *al-Maʾrifat waʾl-taʾriḫ*, ed. A. Ḍ. al-ʿUmārī, Baghdad 1974–6, 3:350.8 (noted by van Ess); Ibn Ḥibbān (d. 354/965), *Mashābir ʿulamāʾ al-amṣār*, ed. M. Fleischhammer, Cairo 1959, 195 no. 1565; Abū Nuʾaym al-Iṣbahānī (d. 430/1038), *Dhikr akhbār Iṣbahān*, ed. S. Dederling, Leiden 1931–4, 1:171.24 (noted by van Ess). Ibn Saʿd knows an account similar to that given above (*Tabaqāt*, 7:2:103.12), but gives pride of place to one in which the goldsmith is a friend of Abū Muslim. When Abū Muslim brings the ʿAbbāsīd cause out into the open, he sends an agent to ascertain the goldsmith's reaction, which is that Abū Muslim should be killed; Abū Muslim reacts by having the goldsmith killed (*ibid.*, 103.7). According to a report preserved by Abū Ḥayyān al-Tawḥīdī (d. 414/1023f.), he was beaten to death (*al-Baṣāʾir waʾl-dhakhāʾir*, ed. W. al-Qāḍī, Beirut 1988, 6:213 no. 756).

⁶ Our sources indicate that the goldsmith's dislike of Abū Muslim did not arise from affection for the Umayyads. He indicates that his allegiance to the Umayyad governor Naṣr ibn Sayyār had not been voluntary (Taḳī al-Dīn al-Tamīmī (d. 1010/1601), *al-Ṭabaqāt al-saniyya fī tarājīm al-Hanaḫīyya*, ed. ʿA. M. al-Ḥulw, Cairo 1970–, 1:285.17); and an account transmitted from Aḥmad ibn Sayyār al-Marwazī (d. 268/881) suggests that he was a disappointed revolutionary who had initially believed in Abū Muslim's promises of just rule (*ibid.*, 286.3). Jaṣṣāṣ states that the goldsmith rebuked Abū Muslim for his oppression (*ẓulm*) and wrongful bloodshed (*Abḥkāṃ*, 1:70.27; similarly Ibn Ḥibbān (d. 354/965), *Kitāb al-majrūḥīn*, ed. M. I. Zāyid, Aleppo 1395–6, 1:157.12, cited in Zaman, *Religion and politics*, 72 n. 7).

received from the goldsmith. The image of Ibrāhīm ibn Maymūn as he appears in our sources is, however, worth some attention. A man of Marw,⁷ he was, in the first instance, a child of Islam.⁸ When asked his descent, his reply was that his mother had been a client of the tribe of Hamdān, and his father a Persian;⁹ he himself was a client (*mawlā*) of God and His Prophet.¹⁰ He was also that familiar figure of the sociology of religion, a craftsman of uncompromising piety and integrity.¹¹ He would throw his hammer behind him when he heard the call to prayer.¹² While in Iraq he was too scrupulous to eat the food which Abū Ḥanīfa (d. 150/767f.) offered him without first questioning him about it, and even then he was not always satisfied with Abū Ḥanīfa's replies.¹³ His politics were of a piece with this. His temperament was not receptive to counsels of prudence, as his discussions with Abū Ḥanīfa will shortly underline. Indeed, his death was little short of a verbal suicide mission – in one account he appeared before Abū Muslim already dressed and perfumed for his own funeral.¹⁴ The goldsmith was a man of principle, in life as in death, and it is his principles that concern us here.

The principle that informed his last act, in the eyes of posterity and perhaps his own, was the duty of commanding right and forbidding

⁷ A variant tradition has him originally from Iṣbahān (Abū 'l-Shaykh (d. 369/979), *Ṭabaqāt al-muḥaddithīn bi-Iṣbahān*, ed. 'A. 'A. al-Balūshī, Beirut 1987–92, 1:449.2, whence Abū Nu'aym, *Dhikr akhbār Iṣbahān*, 1:171.24, 172.3, whence in turn Mizzī, *Tahdhīb*, 2:224.8). Van Ess, who notes two of these references in a footnote (*Theologie*, 2:549 n. 15), states in the text that the goldsmith came from Kūfa, citing a Kūfan Ibrāhīm ibn Maymūn, a client of the family of the Companion Samura ibn Jundab (d. 59/679), mentioned in an *isnād* quoted by Fasawī (*Ma'rifa*, 3:237.1). This latter is, however, a Kūfan tailor (see, for example, Bukhārī, *Kabīr*, 1:1:325f. no. 1018), and there is no reason to identify him with our Marwazī goldsmith (*ibid.*, no. 1016).

⁸ Cf. his name and *kunya*: Abū Ishāq Ibrāhīm. Khalīfa ibn Khayyāt (d. 240/854f.), however, has the *kunya* Abū 'l-Munāzil (*Ṭabaqāt*, ed. S. Zakkār, Beirut 1993, 596 no. 3,120).

⁹ Elsewhere we learn that his father was a slave (Sam'ānī, *Ansāb*, 8:266.13), as the name Maymūn suggests.

¹⁰ Ibn Ḥanbal (d. 241/855), *al-'Ilal wa-ma'rifat al-rijāl*, ed. W. M. 'Abbās, Beirut and Riyāḍ 1988, 2:379 no. 2,693. This is why Bukhārī (d. 256/870) describes him as *mawlā 'l-nabī* (*Kabīr*, 1:1:325.4; Bukhārī, *al-Ta'rikh al-ṣagbīr*, ed. M. I. Zāyid, Aleppo and Cairo 1976–7, 2:27.1).

¹¹ Sam'ānī tells us that he modelled his life on that of the Successors he had met (*Ansāb*, 8:266.9).

¹² *Ibid.*, 266.10; cf. al-Khaṭīb al-Baghdādī (d. 463/1071), *Muḍīl awḥām al-jam' wa'l-tafrīq*, Hyderabad 1959–60, 1:375.11, and Ibn Ḥajar, *Tahdhīb*, 1:173.5.

¹³ Jaṣṣāṣ, *Aḥkām*, 2:33.8; Ibn Abī 'l-Wafā', *Jawābir*, 1:49.16. Such conduct on the part of a guest was not approved by the Ḥanafī jurists unless there was at least specific reason for doubt (see Shaybānī (d. 189/805), *Āthār*, ed. M. Tēgh Bahādur, Lucknow n.d., 155.4 (*bāb al-da'wa*), mentioning the concurrence of Abū Ḥanīfa). It is not clear whether the questions related to the provenance of the food itself or to that of the money that paid for it.

¹⁴ Ibn Sa'd, *Ṭabaqāt*, 7:2:103.13 (*taḥannata . . . wa-takaffana*). In this account his body is thrown into a well.

wrong.¹⁵ The goldsmith was known as a devotee of commanding right,¹⁶ and it was one of the topics he had brought up in his discussions with Abū Ḥanīfa.¹⁷ More specifically, we can see him in death as having lived up to a Prophetic tradition which states: ‘The finest form of holy war (*jihād*) is speaking out (*kalimat haqq*) in the presence of an unjust ruler (*sulṭān jā’ir*), and getting killed for it (*yūqatal ‘alayhā*).’ This tradition is attested in a variety of forms, usually without the final reference to the death of the speaker, in the canonical and other collections.¹⁸ But we also find it trans-

¹⁵ As pointed out by Madelung (‘The early Murji’a’, 35f.). An account of the goldsmith’s death preserved by Tamīmī has him go in to Abū Muslim and ‘command and forbid’ him (*fā-amarahu wa-nahāhu*) (Tamīmī, *Ṭabaqāt*, 1:285.11, and cf. *ibid.*, 286.3); likewise al-Khaṭīb al-Baghdādī states that he was killed in performing the duty (*Muḏīb*, 1:375.8).

¹⁶ Thus Ibn Ḥibbān describes him as *min al-ammārīn bi’l-ma’rūf* (*Thiqāt*, 6:19:10; see also Ibn Ḥibbān, *Mashāḥir*, 195 no. 1565). Aḥmad ibn Sayyār remarks on his devotion to *al-amr bi’l-ma’rūf* (*apud* Tamīmī, *Ṭabaqāt*, 1:286.12; and cf. Tamīmī’s own summing-up, *ibid.*, 287.5).

¹⁷ Madelung, ‘The early Murji’a’, 35, citing Ibn Abī ‘l-Wafā’, *Jawāhir*, 1:49.17; Jaṣṣāṣ, *Aḥkām*, 2:33.9.

¹⁸ For the classical collections, see Ibn Ḥanbal (d. 241/855), *Musnad*, Būlāq 1313, 3:19.16, 61.24, 4:314.28, 315.2, 5:251.8, 256.18; Ibn Māja (d. 273/887), *Sunan*, ed. M. F. ‘Abd al-Bāqī, Cairo 1972, 1329 no. 4,011, 1330 no. 4,012; Abū Dāwūd al-Sijistānī (d. 275/889), *Sunan*, ed. ‘I. ‘U al-Da‘ās and ‘A. al-Sayyid, Hims 1969–74, 4:514 no. 4,344 (whence Jaṣṣāṣ, *Aḥkām*, 2:34.15); Tirmidhī (d. 279/892), *Ṣaḥīḥ*, ed. ‘I. ‘U. al-Da‘ās, Hims 1965–8, 6:338f. no. 2,175; Nasā’ī (d. 303/915), *Sunan*, ed. Ḥ. M. al-Mas‘ūdī, Cairo n.d., 7:161.7. (Neither Bukhārī nor Muslim include the tradition.) For other collections, see Ḥumaydī (d. 219/834f.), *Musnad*, ed. Ḥ. al-A‘zamī, Cairo and Beirut n.d., 331f. no. 752; Ṭabarānī (d. 360/971), *al-Mu‘jam al-kabīr*, ed. Ḥ. ‘A. al-Salāfi, n.p. c. 1984–6, 8:281f. no. 8,081, and cf. no. 8,080 (I owe these references to Etan Kohlberg); al-Ḥākim al-Naysābūrī (d. 405/1014), *Mustadrak*, Hyderabad 1334–42, 4:506.7; Quḍā‘ī (d. 454/1062), *Musnad al-shihāb*, ed. Ḥ. ‘A. al-Salāfi, Beirut 1985, 2:247f. nos. 1286–8; Bayhaqī (d. 458/1066), *Shu‘ab al-imān*, ed. M. B. Zaghlūl, Beirut 1990, 6:93 nos. 7,581f., and cf. Bayhaqī, *al-Sunan al-kubrā*, Hyderabad 1344–55, 10:91.3. The tradition is transmitted from several Companions with a variety of Kūfān and Baṣran *isnāds*. For entries on the tradition (without *isnāds*) in post-classical guides to the *ḥadīth* collections, see Majd al-Dīn ibn al-Athīr (d. 606/1210), *Jāmi‘ al-uṣūl*, ed. ‘A. al-Arnā’ūt, Cairo 1969–73, 1:333 nos. 116f.; Haythamī (d. 807/1405), *Majma‘ al-zawā‘id*, Cairo 1352–3, 7:272.2; Suyūṭī (d. 911/1505), *al-Jāmi‘ al-ṣaḥīḥ*, Cairo 1954, 1:49.20; Suyūṭī, *Jam‘ al-jawāmi‘*, n.p. 1970–, 1:1155–7 nos. 3,724, 3,728f., 3,734; al-Muttaqī al-Hindī (d. 975/1567), *Kanz al-‘ummāl*, ed. Ṣ. al-Saqqā *et al.*, Aleppo 1969–77, 3:66f. nos. 5,510–12, 5,514, 3:80 no. 5,576. In none of these cases does the tradition include the final reference to the death of the speaker (a fact pointed out to me with regard to the classical collections by Keith Lewinstein). However, such a version appears in a Syrian tradition found in the *Musnad* of Bazzār (d. 292/904f.) (*al-Baḥr al-zakḥkhār al-ma’rūf bi-Musnad al-Bazzār*, ed. M. Zayn Allāh, Medina and Beirut 1988–, 4:110.3 no. 1285; and cf. Ghazzālī (d. 505/1111), *Iḥyā’ ‘ulūm al-dīn*, Beirut n.d., 2:284.25, 284.27. Moreover, the Mu‘tazilite exegete Rummānī (d. 384/994) in his commentary to Q3:21 seems to have adduced a version transmitted by Ḥasan (sc. al-Baṣrī) which included this ending (see Abū Ja‘far al-Tūsī (d. 460/1067), *al-Tibyān fī tafsīr al-Qur‘ān*, Najaf 1957–63, 2:422.17, and Ṭabrisī, *Majma‘*, 1:423.32 (both to Q3:21)), and the same form of the tradition appears in the Koran commentary of the Mu‘tazilite al-Ḥākim al-Jishumī (d. 494/1101) (see the quotation in ‘A. Zarzūr, *al-Ḥākim al-Jushamī wa-manhajuhu fī tafsīr al-Qur‘ān*, n.p. n.d., 195.3). The *ḥadīth* is not a Shi‘ite one, although there is an Imāmī tradition in which it is quoted to Ja‘far al-Ṣādiq (d. 148/765), who seeks to tone

mitted by our goldsmith – complete with the reference to the speaker’s death – from Abū Ḥanīfa.¹⁹ A variant version likewise transmitted to the goldsmith by Abū Ḥanīfa makes explicit the link between this form of holy war and the principle of forbidding wrong, and one source relates this to his death.²⁰

As mentioned, the goldsmith had discussed this duty with Abū Ḥanīfa.²¹ They had agreed that it was a divinely imposed duty (*farīda min Allāh*). The goldsmith then gave to this theoretical discussion an alarmingly practical twist: he proposed then and there that in pursuance of this duty he should give his allegiance (*bay‘a*) to Abū Ḥanīfa – in other words, that they should embark on a rebellion. The latter, as might be expected, would have nothing to do with this proposal. He did not deny that the goldsmith had called upon him to carry out a duty he owed to God (*ḥaqq min ḥuqūq Allāh*). But he counselled prudence. One man acting on his own would merely get himself killed, and achieve nothing for others; the right leader, with a sufficient following of good men, might be able to achieve something.²² During subsequent visits, the goldsmith kept returning to this question, and Abū Ḥanīfa would repeat his view that this duty (unlike others) was not one that a man could undertake alone. Anyone who did so would be throwing his own blood away and asking to be killed. Indeed, it

down its implications (Kulaynī (d. 329/941), *Kāfī*, ed. ‘A. A. al-Ghaffārī, Tehran 1375–7, 5:60.7 no. 16; Tūsī (d. 460/1067), *Tahdhīb al-ahkām*, ed. H. M. al-Kharsān, Najaf 1958–62, 6:178.6 no. 9); cf. also al-Ḥurr al-‘Āmilī (d. 1104/1693), *Wasā’il al-Shi‘a*, ed. ‘A. al-Rabbānī and M. al-Rāzī, Tehran 1376–89, 6:1:406.8 no. 9. It is, however, known to the Ibāḍīs (Rabī ibn Ḥabīb (d. 170/786?) (attrib.), *al-Jāmi‘ al-ṣaḥīḥ*, n.p. n.d., 2:17 no. 455). The link between the tradition and *al-amr bi’l-ma’rūf* is made explicit by the commentators to Suyūṭī’s *al-Jāmi‘ al-ṣaḥīḥ* (see Munāwī (d. 1031/1622), *Taysīr*, Būlāq 1286, 1:182.6; ‘Azīzī (d. 1070/1659f.), *al-Sirāj al-munīr*, Cairo 1357, 1:260.20).

¹⁹ Sam‘ānī, *Ansāb*, 8:267.1, with a typically Ḥanafī *isnād* (and cf. Abū Ḥanīfa (d. 150/767f.), *Musnad*, Beirut 1985, 370.6, without *yugtal ‘alayhā*). This tradition, Sam‘ānī tells us, is the only one the goldsmith transmitted from Abū Ḥanīfa. If we set this detail alongside his idiosyncratic reservations about Abū Ḥanīfa’s food, and the way in which they argue on equal terms, we cannot confidently classify the goldsmith as a disciple of Abū Ḥanīfa; this in turn means that we have no compelling ground for classifying him as a Murji‘ite (contrast Madelung, ‘The early Murji‘a’, 35, and van Ess, *Theologie*, 2:548f.).

²⁰ Abū Ḥanīfa relates that he had transmitted to the goldsmith the Prophetic tradition: ‘The lord of the martyrs (*sayyid al-shuhadā*) is Ḥamza ibn ‘Abd al-Muṭṭalib and a man who stands up to an unjust ruler, commanding and forbidding, and is killed by him’ (Jaṣṣāṣ, *Ahkām*, 2:34.17, and similarly 1:70.24; see also Ibn Abī ‘l-Wafā’, *Jawāhir*, 1:193.3, and Tamīmī, *Tabaqāt*, 1:285.13). (This tradition appears also in Ḥākim, *Mustadrak*, 3:195.7; Khaṭīb, *Muḍīḥ*, 1:371.20; Haythamī, *Zawā’id*, 7:266.3, 272.4; and cf. *ibid.*, 272.6.) The Kūfan A‘mash (d. 148/765) states that this tradition motivated the goldsmith’s death (Ibn Hibbān, *Majrūḥīn*, 1:157.13, cited in Zaman, *Religion and politics*, 72 n. 7). There is even a version of this tradition that makes a veiled reference to the goldsmith (Ibn Ḥamdūn, *Tadhkira*, 9:280 no. 530; I owe this reference to Patricia Crone).

²¹ In what follows I cite the text of Jaṣṣāṣ, for the most part leaving aside that of Ibn Abī ‘l-Wafā’. ²² Jaṣṣāṣ has *l’ yḥwīl*. Ibn Abī ‘l-Wafā’ omits the phrase.

was to be feared that he would become an accomplice in his own death. The effect of his action would be to dishearten others. So one should wait; God is wise, and knows what we do not know.²³ In due course the news of the goldsmith's death reached Abū Ḥanīfa. He was beside himself with grief, but he was not surprised.

Abū Ḥanīfa, to judge from his relations with the goldsmith, was not a political activist. His cautious attitude to the political implications of forbidding wrong finds expression in rather similar terms in an apparently early Ḥanafī text.²⁴ This work begins with a doctrinal statement of which forbidding wrong is the second article.²⁵ Then, at a later point, Abū Ḥanīfa is confronted with the question: 'How do you regard someone who commands right and forbids wrong, acquires a following on this basis, and rebels against the community (*jamā'a*)? Do you approve of this?' He answers that he does not. But why, when God and His Prophet have imposed on us the duty of forbidding wrong? He concedes that this is true enough, but counters that in the event the good such rebels can achieve will be outweighed by the evil they bring about.²⁶ The objection he makes here is more far-reaching than that with which he deflected the dangerous proposal of the goldsmith: it is not just that setting the world to rights is not a one-man job; it is not even to be undertaken by many. The imputation of such quietism to Abū Ḥanīfa may or may not be historically accurate.²⁷ There are also widespread reports that he looked with favour on the

²³ Abū Ḥanīfa cites Q2:30, where the angels protest at God's declared intention of placing a *khalīfa* on earth, on the ground that he will act unjustly, and are silenced with the retort that He knows what they do not know.

²⁴ Abū Ḥanīfa (d. 150/767f.) (attrib.), *al-Fiqh al-absaṭ*, ed. M. Z. al-Kawtharī, in a collection of which the first item is Abū Ḥanīfa (attrib.), *al-'Alim wa'l-muta'allim*, Cairo 1368, 44.10.

²⁵ Abū Ḥanīfa, *al-Fiqh al-absaṭ*, 40.10; and see Māturīdī (d. c. 333/944) (attrib.), *Sharḥ al-Fiqh al-akbar*, Hyderabad 1321, 4.1, and A. J. Wensinck, *The Muslim creed*, Cambridge 1932, 103f., art. 2. For an elegant analysis of the relationship between these three texts, showing Wensinck's 'Fiqh Akbar I' to be something of a ghost, see J. van Ess, 'Kritisches zum Fiqh akbar', *Revue des Etudes Islamiques*, 54 (1986), especially 331f.; for his commentary on the second article, see *ibid.*, 336f. (For a briefer treatment, see his *Theologie*, 1:207–11.) A possibility van Ess does not quite consider ('Kritisches', 334) is that articles 1–5 may represent an interpolation into the text of *al-Fiqh al-absaṭ*: Abū Ḥanīfa's distinction between *al-fiqh fī 'l-dīn* and *al-fiqh fī 'l-ahkām*, of which the former is the more excellent (*ibid.*, 40.14, immediately following the passage), looks suspiciously like the answer to the disciple's request to be told about 'the greater *fiqh*' (*al-fiqh al-akbar*, *ibid.*, 40.8, immediately preceding the passage). The commentary ascribed to Māturīdī mentioned above has now been critically edited by H. Daiber, who argues that its author was Abū 'l-Layth al-Samarqandī (d. 373/983) (see below, ch. 12, note 22, and, for our passage, note 24). ²⁶ Abū Ḥanīfa, *al-Fiqh al-absaṭ*, 44.10.

²⁷ In the same text Abū Ḥanīfa states that, if commanding and forbidding are of no avail, we should fight with the *fi'a 'ādila* against the *fi'a bāghiya* (cf. Q49:9), even if the ruler (*imām*) is unjust (*ibid.*, 44.16; see also *ibid.*, 48.2, where the term used is *sultān*). Van

use of the sword²⁸ and sympathised with ‘Alid rebels,²⁹ and an activist disposition would not be out of line with the Murji’ite background of Ḥanafism.³⁰ But even if Abū Ḥanīfa was not a political activist, what is significant for us in the texts under discussion is not what he in practice denies, but what he in principle concedes: he agrees with both the goldsmith and his questioner in the early Ḥanafī text that forbidding wrong is a divinely imposed obligation, and one whose political implications cannot be categorically denied. The goldsmith, for all that he is mistaken, retains the moral high ground.

What we see here is the presence, within the mainstream of Islamic thought, of a strikingly – not to say inconveniently – radical value: the principle that an executive power of the law of God is vested in each and every Muslim. Under this conception the individual believer as such has not only the right, but also the duty, to issue orders pursuant to God’s law, and to do what he can to see that they are obeyed. What is more, he may be issuing

Ess is inclined to ascribe the relative quietism of this text to Abū Muṭīf al-Balkhī (d. 199/814), the disciple who transmits Abū Ḥanīfa’s answers to his questions (‘Kritisches’, 336f.; *Theologie*, 1:210). This may be right, but it should be noted that early Ḥanafism in Balkh, and perhaps north-eastern Iran in general, was marked by a sullen, and sometimes truculent, hostility towards the authorities of the day (see Madelung, ‘The early Murji’a’, 37f.).

²⁸ ‘Abdallāh ibn Aḥmad ibn Ḥanbal (d. 290/903), *Sunna*, ed. M. S. S. al-Qaṭṭānī, Dammām 1986, 181f. no. 233, 182 no. 234, 207 no. 325, 213 no. 348, 218 no. 368, 222 no. 382 (and cf. 217 no. 363); Fasawī, *Ma’rifā*, 2:788.13; Abū Zur’a al-Dimashqī (d. 281/894), *Ta’rīkh*, ed. S. N. al-Qawjānī, Damascus n.d., 506 no. 1331; Jaṣṣās, *Aḥkām*, 1:70.19 (I owe this reference to Patricia Crone); Abū Tammām (fl. first half of the fourth/tenth century), *Shajara*, apud W. Madelung and P. E. Walker, *An Ismaili heresiography*, Leiden 1998, 85.3 = 82, and cf. 85.19 = 83 on the followers of Abū Ḥanīfa (this material is likely to derive from the heresiography of Abū ‘l-Qāsim al-Balkhī (d. 319/931), see 10–12 of Walker’s introduction; these and other passages of Abū Tammām’s work were drawn to my attention by Patricia Crone); Khaṭīb, *Ta’rīkh Baghdād*, 13:384.6, 384.11, 384.17, 384.20, 385.19, 386.1, 386.6. In this last tradition, as in ‘Abdallāh ibn Aḥmad’s second, Abū Yūsuf (d. 182/798) dissociates himself from his teacher’s attitude; compare the half-dozen quietist traditions he cites in his treatise on fiscal law (*Kharāj*, Cairo 1352, 9f.), including that which enjoins obedience even to a maimed Abyssinian slave if he is set in authority (*ibid.*, 9.12).

²⁹ See, for example, C. van Arendonk, *Les débuts de l’imamat zaidite au Yémen*, Leiden 1960, 307, 315; van Ess, ‘Kritisches’, 337; K. Athamina, ‘The early Murji’a: some notes’, *Journal of Semitic Studies*, 35 (1990), 109 n. 1.

³⁰ See M. Cook, *Early Muslim dogma: a source-critical study*, Cambridge 1981, ch. 6, and cf. my review of the first volume of van Ess’s *Theologie* in *Bibliotheca Orientalis*, 50 (1993), col. 271, to 174. For a rather different view of the politics of the early Murji’a, see Madelung, ‘The early Murji’a’, 32 (but cf. his position in *The Encyclopaedia of Islam*, second edition, Leiden and London 1960– (hereafter *EI*), art. ‘Murdji’a’, 606a). The question has also been discussed by Athamina with considerable erudition (see his ‘The early Murji’a’, 115–30); however, he does not take into consideration the testimony of the *Sīrat Salīm ibn Dhakwān*, and his evidence does not seem to support his conclusion that there existed a quietist stream among the early Murji’ites alongside an activist one (*ibid.*, 129f.). See also below, ch. 12, note 5.

these orders to people who conspicuously outrank him in the prevailing hierarchy of social and political power. Only Abū Ḥanīfa's prudence stood between this value and the goldsmith's proposal for political revolution, and in the absence of prudence, the execution of the duty could easily end, as it did for the goldsmith, in a martyr's death. Small wonder that Abū Ḥanīfa should have squirmed when his interlocutors sought to draw out the implications of the value.

There were others, however, who were less willing to concede a martyr's crown to the likes of the goldsmith. Zubayr ibn Bakkār (d. 256/870) preserves a remarkable account of a confrontation between the caliph al-Ma'mūn (r. 198–218/813–33) and an unnamed zealot.³¹ The caliph was on one of his campaigns against the infidel, presumably in Anatolia, and was walking alone with one of his generals.³² A man appeared, shrouded and perfumed,³³ and made for al-Ma'mūn. He refused to greet the caliph, charging that he had corrupted the army (*ghuzāt*) in three ways. First, he was allowing the sale of wine in the camp. Second, he was responsible for the visible presence there of slave-girls in litters (*'ammāriyyāt*) with their hair uncovered. Third, he had banned forbidding wrong.³⁴ To this last charge al-Ma'mūn responded immediately that his ban was directed only at those who turned commanding right into wrongdoing; by contrast, he positively encouraged those who knew what they were doing (*alladhī ya'mur bi'l-ma'rūf bi'l-ma'rifa*) to undertake it. In due course al-Ma'mūn went over the other charges levelled at him by the zealot. The alleged wine turned out to be nothing of the kind, prompting the caliph to observe that forbidding the likes of this man to command right was an act of piety.³⁵ The exposure of the slave-girls was intended to prevent the enemy's spies from thinking that the Muslims had anything so precious as their daughters and sisters with them. Thus in attempting to command right, the man had himself committed a wrong.³⁶

The caliph then went onto the attack. What, he asked the man, would he do if he came upon a young couple talking amorously with each other here in this mountain pass?

³¹ Zubayr ibn Bakkār (d. 256/870), *al-Akbbār al-Muwaffāqiyyāt*, ed. S. M. al-ʿĀnī, Baghdad 1972, 51–7. The passage is quoted in full in F. Jadʿān, *al-Miḥna*, Amman 1989, 256–60, whence my knowledge of it. There is a parallel in Ibn ʿAsākir (d. 571/1176), *Taʾriḫ madīnat Dimashq*, ed. ʿA. Shīrī, Beirut 1995–8, 33:302–5 (I owe this reference to Michael Cooperson). I shall return to this narrative (see below, ch. 17, 497f.).

³² The presence of ʿUjayf ibn ʿAnbasa makes the Anatolian campaign of 215/830 a plausible setting for the story (see Ṭabarī, *Taʾriḫ*, series III, 1103.12).

³³ For *mutakabbib mutakaffin* read *mutahannif mutakaffin*, as in Ibn ʿAsākir's parallel (and cf. above, note 14). ³⁴ Zubayr, *Akbbār*, 52.15. ³⁵ *Ibid.*, 54.13.

³⁶ *Ibid.*, 55.9.

THE ZEALOT: I would ask them who they were.

THE CALIPH: You'd ask the man, and he'd tell you she was his wife. And you'd ask the woman, and she'd say he was her husband. So what would you do with them?

THE ZEALOT: I'd separate them and imprison them.

THE CALIPH: Till when?

THE ZEALOT: Till I'd asked about them.

THE CALIPH: And who would you ask?

THE ZEALOT: [First] I'd ask them where they were from.

THE CALIPH: Fine. You've asked the man where he's from, and he says he's from Asfijāb.³⁷ The woman too says she's from Asfijāb – that he's her cousin, they got married and came here. Well, are you going to keep them in prison on the basis of your vile suspicion and false imaginings until your messenger comes back from Asfijāb? Say the messenger dies, or they die before he gets back?

THE ZEALOT: I would ask here in your camp.

THE CALIPH: What if you could only find one or two people from Asfijāb in my camp, and they told you they didn't know them? Is that what you've put on your shroud for?

The caliph concluded that he must have to do with a man who had deluded himself by misinterpreting the tradition according to which the finest form of holy war is to speak out in the presence of an unjust ruler.³⁸ In fact, he observed, it was his antagonist who was guilty of injustice. In a final gesture of contempt, he declined to flog the zealot, and contented himself with having his general rip up his pretentious shroud. The caliph's tone throughout the narrative is one of controlled fury and icy contempt: it is he, and not the would-be martyr, who occupies the moral high ground.

That the political implications of forbidding wrong would give rise to controversy is exactly what we would expect. And yet the strategy adopted by al-Ma'mūn is not to expose the zealot as a subversive. Rather, his charge is that the man has made the duty into a vehicle of ignorance and prejudice. The effect is enhanced when the caliph goes onto the attack. By the answers he gives to the hypothetical questions put to him by al-Ma'mūn, the zealot reveals himself not as a heroic enemy of tyrants, but rather as a blundering intruder into the private affairs of ordinary Muslims. With men like him around, no happily married couple can go for a stroll in a mountain pass without exposing themselves to harassment on the part of boorish zealots.

The contrasting moral fates of the goldsmith of Marw and the nameless zealot can help us mark out the territory within which the doctrine of the

³⁷ Asfijāb was located far away on the frontiers of Transoxania.

³⁸ *Ibid.*, 56.12. For the tradition, see above, note 18.

duty must operate. At one edge of this territory, a thin line separates forbidding wrong from culpable subversion. At the other edge, the frontier between forbidding wrong and the invasion of privacy is no thicker. Away from these tense borders we shall encounter few stories as dramatic as those of the goldmith and the zealot, and the bulk of this book will be taken up with the description and analysis of scholastic arguments and distinctions. But subversion and intrusion are themes that will often recur in the course of this study. Though not quite the Scylla and Charybdis of forbidding wrong, they represent significant ways in which the virtuous performance of the duty can degenerate into vice, and they are accordingly major foci of the scholastic thought we shall be examining.

As we shall see, scholasticism comes into its own within the framework of the sects and schools of classical Islam; it is here that systematic doctrines of the duty are eventually to be found. However, many of the ideas elaborated in this scholastic literature appear already in earlier contexts. The following chapters will accordingly consider, in turn, the Koran and its exegesis, traditions from the Prophet and his Companions, and biographical literature about early Muslims.

CHAPTER 2

KORAN AND KORANIC EXEGESIS

1. THE KORAN WITHOUT THE EXEGETES

In the course of a call for unity among the believers, God addresses them as follows: ‘Let there be one community of you (*wa-l-takun minkum ummatun*), calling to good, and commanding right and forbidding wrong (*wa-ya’murūna bi’l-ma’rūfi wa-yanhawna ‘ani’l-munkar*); those are the prosperers’ (Q3:104).¹ This conjunction of ‘commanding right’ and ‘forbidding wrong’ is found in seven further Koranic verses (Q3:110, Q3:114, Q7:157, Q9:71, Q9:112, Q22:41, Q31:17);² the two phrases scarcely appear in isolation from each other.³ It is clear, then, that the phrase ‘commanding right and forbidding wrong’ is firmly rooted in Koranic diction. But what, on the basis of the Koranic material, can we say about the actual character of the duty? Who performs it, who is its target, and what is it about?

It is reasonably clear who performs it in Q3:104. The context of the verse is an appeal for the unity of the community of believers, with contrasting reference to earlier communities;⁴ the believers, according to this verse, are to be (or at least include) a community (*umma*) which commands right and forbids wrong. Some of the other passages referring to the duty invite

¹ All Koranic quotations follow the Egyptian text; my translations are based on those of Arberry, but frequently depart from them (A. J. Arberry, *The Koran interpreted*, London 1964). Throughout, I use ‘right’ to translate *ma’rūf* and ‘wrong’ to translate *munkar*. For a discussion of some of the questions addressed in this chapter, see A. A. Roest Crolius, ‘Mission and morality’, *Studia Missionalia*, 27 (1978), 258–73 (drawn to my attention by Noha Bakr).

² We also find in Q9:67 the transposition ‘commanding wrong’ and ‘forbidding right’; the reference is to the hypocrites (*munāfiqūn*), in contrast to the believers of Q9:71.

³ A possible reference to ‘commanding right’ is found in Q4:114: *man amara bi-ṣadaqatin aw ma’rūfin aw iṣlāhin bayna’l-nās*. Here Arberry translates *ma’rūf* as ‘honour’, which is his standard rendering of the term. There are two references to ‘forbidding indecency (*al-faḥshā*) and wrong’ (Q16:90, Q29:45; and cf. Q24:21). Q5:79 (*kānū lā yatanāhawna ‘an munkarin fa’alūhu*) will be discussed below, notes 11f. ⁴ Q3:105, and cf. Q3:100.

a similar interpretation (Q3:110, Q3:114, Q9:71); in other words, the obligation seems here to be one discharged by the collectivity of the believers.⁵ There are, however, two verses (Q9:112 and Q22:41) where the context suggests that those who perform the duty are the believers who engage in holy war (and therefore not all believers?). The first is syntactically problematic; but the believers have been mentioned in the previous verse for their commitment to holy war.⁶ The second verse seems to pick up an earlier reference to ‘those who fight because they were wronged’ (Q22:39).⁷ There are also two verses in which the duty appears as one performed by individuals: in Q7:157 it is the gentile prophet (*al-rasūl al-nabī al-ummī*) who executes it, and in Q31:17 Luqmān tells his son to perform it.

Who is the target of the duty? The only verse that specifies this is Q7:157, where the gentile prophet commands and forbids those who follow him. In no case does the duty appear as something done to an individual, or to particular individuals. In general we are left in the dark.

What is the duty about? In none of the verses we have considered is there any further indication as to what concrete activities are subsumed under the rubric of commanding right and forbidding wrong. We might suspect from this that we have to do with a general duty of ethical affirmation to the community, or to the world at large, but this is by no means clear.

⁵ In Q3:110, God tells the believers that they, as opposed to the people of the Book, were (*kuntum*) the ‘best community’ that has come forth, commanding right and forbidding wrong; while in Q3:114, He concedes that among the people of the Book there exists an ‘upstanding community’ which commands right and forbids wrong. Whereas in Q9:67 the hypocrites ‘are as one another’, commanding wrong and forbidding right, in Q9:71 the believers ‘are friends one of the other’, commanding right and forbidding wrong. In Q22:41, the believers are those who, if established in the land, will command right and forbid wrong.

⁶ The verse speaks, in a string of present participles in the nominative case, of ‘those who repent, those who serve, those who pray, . . . those who command right and forbid wrong (*al-āmirūna bi’l-ma’rūfi wa’l-nāhiyūna ‘an al-munkari*), those who keep God’s bounds’. There is no obvious predicate, so that it is natural to see the participles as in apposition to a previously mentioned subject; and the previous verse appropriately offers ‘the believers’ – but in the genitive case (‘God has bought from the believers (*al-mu’minīna*) their selves and their possessions against the gift of Paradise; they fight in the way of God; they kill, and are killed’ (Q9:111)). The syntactic problem is resolved in a textual variant in which the participles appear in the genitive. This variant is quoted from Ibn Mas‘ūd (d. 32/652f.), Ubayy ibn Ka‘b (d. 22/642f.), and A‘mash (d. 148/765) (see A. Jeffery, *Materials for the history of the text of the Qur‘ān*, Leiden 1937, 45, 134, 319; the attribution to Ibn Mas‘ūd appears already in Farrā’ (d. 207/822f.), *Ma‘ānī al-Qur‘ān*, ed. A. Y. Najātī and M. ‘A. al-Najjār, Cairo 1980–, 1:453.8). Imāmī sources also ascribe this variant to Muḥammad al-Bāqir (d. c. 118/736) and Ja‘far al-Šādiq (d. 148/765) (Ṭabrisī, *Majma‘*, 3:74.12; Ṭabrisī, *Jawāmi‘ al-jāmi‘*, Beirut 1985, 1:633.16; and see ‘Ayyāshī (early fourth/tenth century), *Tafsīr*, Qumm n.d., 2:112f. no. 140).

⁷ Or, just possibly, ‘those who believe’ in Q22:38. What binds the passage together syntactically is the series of relative pronouns in verses 38, 39, 40 and 41.

We can seek to shed a little more light on the Koranic conception of commanding right and forbidding wrong by looking at some related material from the Koran.

First, the term 'right' (*ma'rūf*) often appears elsewhere in the Koran, usually but not always in legal contexts (Q2:178, 180, 228, 229, etc.).⁸ There is, however, no indication that it is itself a technical, or even a legal term. Rather, it seems to refer to performing a legal or other action in a decent and honourable fashion; this finds some confirmation in the synonymy with 'kindliness' (*iḥsān*) which is suggested by certain verses (Q2:178, 229 and cf. 236). Just what constitutes such conduct is never spelled out. Thus it seems that we have to do with the kind of ethical term that passes the buck to specific standards of behaviour already known and established.

Secondly, there are locutions elsewhere in the Koran of the form 'commanding X' and 'forbidding Y', where X and Y are similarly broad-spectrum ethical terms.⁹ These parallels reinforce the impression that the Koranic conception of forbidding wrong is a vague and general one.

Thirdly, it is worth noting the kinds of themes that appear in conjunction with commanding right: performing prayer (Q9:71, Q9:112, Q22:41, Q31:17); paying alms (Q9:71, Q22:41); believing in God (Q3:110, Q3:114), obeying Him and His Prophet (Q9:71), keeping His bounds (Q9:112), reciting His signs (Q3:113); calling to good (Q3:104), vying with each other in good works (Q3:114); enduring what befalls one (Q31:17).¹⁰ Here again, there is nothing to narrow the concept of the duty.

Finally, there are two passages that are worth particular attention.

One is Q5:79. Having stated that those of the Children of Israel who disbelieved were cursed by David and Jesus for their sins, God continues: *kānū lā yatanāhawna 'an munkarin fa'alūhu*. This is the only Koranic occurrence of the verb *tanāḥā*. If we care to interpret it etymologically in

⁸ Normally it appears as a substantive, occasionally as an adjective modifying *qawl* (e.g. Q2:235, 263; Q4:5, 8) or *ṭā'a* (Q24:53). The term *munkar* is rarer (Q22:72, Q29:29, Q58:2). For an introduction to both terms, see T. Izutsu, *Ethico-religious concepts in the Qur'ān*, Montreal 1966, 213–17.

⁹ Thus X may be *birr* (Q2:44), *qist* (Q3:21, and cf. Q7:29), *'urf* (Q7:199), *'adl* (Q16:76), *'adl* and *iḥsān* (Q16:90), *taqwā* (Q96:12) or, with reversal, *sū* (Q12:53) and *faḥshā'* (Q24:21); Y may be *sū* (Q7:165), *fasād* (Q11:116), *faḥshā'* (Q29:45), *faḥshā'* and *baghy* (Q16:90), or *hawā* (Q79:40). The only one of these verses in which 'commanding X' and 'forbidding Y' are conjoined is Q16:90. The only cases where the verbs have an object are Q2:44 (*al-nās*) and Q79:40 (*al-naḥs*).

¹⁰ I leave aside the rather different themes that appear in Q7:157 (where it is the Prophet who commands right) and Q9:67 (where the hypocrites command wrong).

a reciprocal sense, the meaning might be that the Children of Israel ‘forbade not one another any wrong that they committed’; in this case we would have here a Koranic basis for the conception of forbidding wrong as something that individual believers do to each other. But there seems to be no independent attestation of such a sense of the verb.¹¹ In the Arabic of ordinary mortals, *tanāhā* is usually synonymous with *intahā*, itself a common Koranic verb with the sense of ‘refrain’ or ‘desist’ (as in Q2:275 and Q8:38). In this case the sense would merely be ‘they did not desist from any wrong that they committed’; and in fact this understanding of the verse is explicit in a variant reading with *yantabūna* for *yatanāhawna*.¹² If we either read *yantabūna*, or understand *yatanāhawna* in the same sense, then the verse is of no further interest to us.¹³

The other passage is Q7:163–6. These verses tell a story of the divine punishment of the people of an (Israelite) town by the sea who fished on the Sabbath. We have to understand from the context that a part of this community had reproved the Sabbath-breakers; another part (*ummatun*) then asked the reprovers why they bothered to admonish people whom God was going to punish anyway. In due course God saved those who forbade evil, and punished those who acted wrongly. Here again, we have a conception of a duty of forbidding evil as one performed by members of a community towards each other; and here, for the first time, we have a concrete example of the performance of such a duty.

Yet neither case is unambiguously connected with our duty of ‘commanding right and forbidding wrong’. Neither verse makes any reference

¹¹ Wensinck’s concordance of *ḥadīth* literature contains six entries for the sixth form of the root *nhy* (A. J. Wensinck *et al.*, *Concordance et indices de la tradition musulmane*, Leiden 1936–88, 7:13b.51); none of these would bear a sense of ‘forbid one another’. The concordance omits a well-known Prophetic tradition in which *tanāhaw* clearly does mean ‘forbid one another’; but in this case the context makes it clear that the diction is Koranic (see below, note 68, and ch. 3, note 40). See also Ibn Abī ‘l-Dunyā (d. 281/894), *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, ed. S. ‘A. al-Shalāhī, Medina 1997, 61 no. 18, for a tradition in which *tanāhaw* is clearly used in the sense of ‘refrain from’ (and cf. the use of the verb *intahā* in the parallels in Jaṣṣāṣ, *Ahkām*, 2:33.27, and Bayhaqī, *Shu‘ab*, 6:89 no. 7,570). I am grateful to Avraham Hakim for sending me a copy of Ibn Abī ‘l-Dunyā’s *Amr*. The Concordance of Pre-Islamic and Umayyad Poetry of the Hebrew University of Jerusalem contains some dozens of entries for the sixth form of the root; but here again, I can find no example of *tanāhā* used in a sense of ‘forbid one another’. I am much indebted to Etan Kohlberg for transcribing these entries for me, and to Albert Arazi and Andras Hamori for further assistance.

¹² This reading is ascribed to Ibn Mas‘ūd (Jeffery, *Materials*, 40), to Ubayy ibn Ka‘b (*ibid.*, 129), and to Zayd ibn ‘Alī (d. 122/740) (A. Jeffery, ‘The Qur’ān readings of Zaid b. ‘Alī’, *Rivista degli Studi Orientali*, 16 (1937), 258).

¹³ For the sake of completeness it should be added that Q65:6 offers an eighth form of *amara* with *ma’rūf*: *wa-‘tamirū baynakum bi-ma’rūfin*. The context is reasonable conduct in divorce where the ex-wife suckles the ex-husband’s child. Arberry’s plausible translation is ‘and consult together honourably’; there is nothing here to suggest *al-amr bi’l-ma’rūf*.

to ‘commanding right’. Whether Q5:79 refers to ‘forbidding wrong’ turns on the sense of the verb *tanāḥā* (not to mention the variant reading); and Q7:165 speaks of ‘forbidding evil’ (*sū*) rather than ‘forbidding wrong’ (*munkar*). The precision that these verses might bring to our conception of the duty is thus qualified by the uncertainty as to whether they actually refer to it at all. In short, scripture on its own has relatively little to tell us about the duty of forbidding wrong – apart, that is, from its name.

2. KORANIC EXEGESIS

What does Koranic exegesis have to tell us about the meaning of these verses? As will appear in the course of this book, the exegetes are often more concerned to set out the school doctrines on forbidding wrong to which they happen to subscribe than they are to elucidate what is there in scripture. Abū Ḥayyān al-Gharnāṭī (d. 745/1344) in his commentary to Q3:104 is a refreshing exception to this trend: he observes that the verse says nothing about the conditions of obligation and other such matters, and refers the reader to the appropriate literature on these questions.¹⁴ I shall take my cue from him, and defer consideration of all such material – including the strongly sectarian variety of Imāmī exegesis – to later chapters. Much exegesis, again, is concerned with points of difficulty which, for all that they arise from the relevant Koranic verses, have little or no bearing on forbidding wrong; such material will not be considered at all. What answers, then, do the exegetes provide to the questions raised by our examination of the Koranic data in the previous section?

With regard to the question who performs the duty, the focus of exegetical attention is an ambiguity in Q3:104: does the ‘of’ (*min*) in ‘of you’ impose the duty on all believers, or only on some of them?¹⁵ Some exegetes held the first view: as the philologist Zajjāj (d. 311/923) put it, ‘Let there be one community of you’ meant ‘Let all of you (*kullukum*) be a community’.¹⁶ This,

¹⁴ Abū Ḥayyān al-Gharnāṭī (745/1344), *al-Baḥr al-muḥīṭ*, Cairo 1328, 3:21.4.

¹⁵ Or, in the technical language of the exegetes, is its function *tabyīn* (specification) or *tabṭīḍ* (partition)? (See, for example, Zamakhsharī (d. 538/1144), *Kashshāf*, Beirut 1947, 1:396.8, 397.1; Ṭabrisī, *Majmaʿ*, 1:483.23, 483.25; Fakhr al-Dīn al-Rāzī (d. 606/1210), *al-Tafsīr al-kabīr*, Cairo c. 1934–62, 8:177.14, 177.19; Bayḍāwī (d. c. 710/1310), *Anwār al-tanzīl*, Cairo n.d., 2:35.7, 35.11.)

¹⁶ Zajjāj (d. 311/923), *Maʿānī al-Qurʾān wa-iʿrābuhu*, ed. ‘A. ‘A. Shalabī, Beirut and Sidon 1973–4, 1:462.5. In support of this view, Zajjāj adduces the *min* of Q22:30: *fa-ʿjtanībū ʾl-rijsa min al-awṭhānī* – which is not, he points out, an order to avoid some idols rather than others. He then quotes a verse of the pre-Islamic poet Aʿshā Bāhila (for which see R. Geyer (ed.), *Gedichte von ʾAbū Baṣīr Maimūn ibn Qais al-ʿAṣā nebst Sammlungen von Stücken anderer Dichter des gleichen Beinamens*, London 1928, 267, verse 17), in which the *min* refers to a single individual, and therefore cannot have the function of partition. Finally, he finds confirmation in Q3:110.

however, was a minority view.¹⁷ The more common view was that God was requiring only that there be a group (a *firqa*, as Zajjāj put it) among the believers performing the duty.¹⁸ This looks like a major disagreement, and one arising directly out of the understanding of the verse: the second view would seem to lay a foundation for a partition of the community which would restrict the duty to a specially qualified elite. There are in fact three types of restriction which come into play in these arguments. First, supporters of the majority view emphasise the corollary (or at least closely related view) that the duty is a ‘collective’ one (*fard* ‘*alā*’ *l-kifāya*), in the technical sense that when one member of the community discharges it, others are thereby dispensed from it.¹⁹ Secondly, they are occasionally quoted as pointing out that some people are incapable of performing the duty – such as women and invalids.²⁰ Thirdly, they stress that not all are qualified to perform it. In particular, it

¹⁷ It was nevertheless adopted by the celebrated Imāmī scholar Abū Ja‘far al-Ṭūsī (*Tibyān*, 2:548.5, setting out the two views, and *ibid.*, 549.9, making clear his adoption of the minority view; see further below, ch. 11, notes 156–61). Ṭūsī also mentions the Mu‘tazilite Jubba‘ī (presumably Abū ‘Alī, d. 303/915f.) as a proponent of this view (*ibid.*, 548.14; but see below, ch. 9, note 33). To these we can add Māturīdī (d. c. 333/944), Wāhidī (d. 468/1076), and Baghawī (d. 516/1122) (Māturīdī, *Ta‘wīlāt al-Qur‘ān*, ms. British Library, Or. 9,432, f. 44b.15 (where both views are stated but only one is supported with proof-texts); Wāhidī, *al-Wajiz fī tafsīr al-kitāb al-‘azīz*, ed. Š. ‘A. Dāwūdī, Damascus and Beirut 1995, 226 to Q3:104; Wāhidī, *Tafsīr al-basīt*, ms. Istanbul, Nuru Osmaniye 240, I, f. 432a.2 (I owe all references to this manuscript to the kindness of Michael Bonner) (and cf. Wāhidī, *al-Wasīt fī tafsīr al-Qur‘ān al-majīd*, ed. ‘A. A. ‘Abd al-Mawjūd *et al.*, Beirut 1994, 1:474.16); Baghawī, *Ma‘ālim al-tanzīl*, ed. M. ‘A. al-Namir *et al.*, Riyāḍ 1993, 2:84.22).

¹⁸ Zajjāj, *Ma‘ānī*, 1:463.3; Zamakhsharī, *Kashshāf*, 1:396.8 (adding a brief mention of the alternative view at 397.1); Qurṭubī (d. 671/1273), *al-Jāmi‘ li-ahkām al-Qur‘ān*, Cairo 1967, 4:165.11; Abū Ḥayyān, *Baḥr*, 3:20.6; Ibn Kathīr (d. 774/1373), *Tafsīr*, Beirut 1966, 2:86.17; Muḥsin al-Fayḍ (d. 1091/1680), *Tafsīr al-ṣāfi*, Mashhad 1982, 1:338.21. Ṭabarī’s position is unclear, unless we are to infer his acceptance of the majority view from his glossing of *umma* as *jamā‘a* (Ṭabarī (d. 310/923), *Tafsīr*, ed. M. M. and A. M. Shākir, Cairo n.d., 7:90.4; cf. Abū Ḥayyān, *Baḥr*, 3:20.6, where Ṭabarī is cited as a proponent of this view); indeed his commentary to Q3:104 is so brief as to suggest that the text as we have it may be defective. Muqātil ibn Sulaymān (d. 150/767f.) does no more than gloss *umma* as ‘*uṣba*’ (*Tafsīr*, ed. ‘A. M. Shihāta, Cairo 1979–89, 1:293.18). Fakhr al-Dīn al-Rāzī offers an elaborate account of the competing views (*Tafsīr*, 8:177.14), but concludes only that God knows best (*ibid.*, 178.12). Bayḍawī merely states the alternatives (*Anwār*, 2:35.7).

¹⁹ Zamakhsharī, *Kashshāf*, 1:396.8; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:178.10; Qurṭubī, *Jāmi‘*, 4:165.14; Bayḍawī, *Anwār*, 2:35.7; Abū Ḥayyān, *Baḥr*, 3:20.13; and for Rummānī, see below, ch. 9, note 38. Cf. also the reporting of this view in Wāhidī, *Basīt*, I, f. 432a.8, Ṭūsī, *Tibyān*, 2:548.7, and Ṭabrisī, *Majma‘*, 1:483.23.

²⁰ See Tha‘labī (d. 427/1035), *al-Kashf wa’l-bayān fī tafsīr āy al-Qur‘ān*, ms. British Library, Add. 19,926, f. 67a.3; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:178.2; Nizām al-Dīn al-Naysābūrī (fl. early eighth/fourteenth century), *Gharā’ib al-Qur‘ān*, ed. I. ‘A. ‘Iwāḍ, Cairo 1962–71, 4:28.10. The placing of women in this category may seem surprising, since God explicitly includes the female believers (*al-mu‘mināt*) among those who command right in Q9:71 (on the question of women forbidding wrong, see below, ch. 17, 482–6).

requires (or may in some instances require) knowledge that not everyone possesses; an ignorant performer may make all sorts of mistakes.²¹ From here it is but a short step to speaking of the duty as one for scholars to perform,²² or even to seeing it as something like a prerogative of the scholarly estate.²³ This last view suggests a strongly elitist construction of the duty, but it is a

²¹ Zamakhsharī, *Kashshāf*, 1:396.9; Tabrisī, *Jawāmiʿ*, 1:230.20 (a passage not found in his *Majmaʿ* and clearly borrowed from the *Kashshāf*, cf. *Jawāmiʿ*, 1:12.1); Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:178.3; Baydāwī, *Anwār*, 2:35.8; Abū Ḥayyān, *Bayr*, 3:20.7; also Abū ʿl-Layth al-Samarqandī (d. 373/983), *Tafsīr*, ed. ʿA. M. Muʿawwad *et al.*, Beirut 1993, 1:289.19. A rather similar argument is advanced by Zajjāj in presenting this side of the question: since the verse speaks of those who ‘call to good’ (*yadʿūna ilā ʿl-khayr*), it refers to propagandists for the faith (*al-duʿāt ilā ʿl-imān*), who need to be learned (‘*ulamāʾ*’) in that which they are propagating, as not everyone is (*Maʿānī*, 1:463.3). But note that exegetes who advance this argument can still speak of the obligation as universal (see Baydāwī, *Anwār*, 2:35.10; Zamakhsharī, *Kashshāf*, 1:398.3, noting that anyone is qualified to rebuke someone who fails to pray).

²² Such language is used by Fakhr al-Dīn al-Rāzī in the passage just cited (which does not necessarily represent his own view): the obligation would be restricted to the scholars (*mukhtaṣṣ biʿl-ʿulamāʾ*) (*Tafsīr*, 8:178.3). Similarly Qurtubī says that those who command right must be scholars (‘*ulamāʾ*’) (*Jāmiʿ*, 4:165.12). Ibn Qutayba (d. 276/889) glosses *umma* in Q3:104 as ‘the community of scholars’ (*jamaʿat al-ʿulamāʾ*) (*Taʾwīl mushkil al-Qurʾān*, ed. A. Ṣaqr, Cairo 1954, 345.13). The Imāmī Miqdād al-Suyūrī (d. 826/1423) describes ‘commanding and forbidding’ as ‘one of the duties (*waṣāʾif*) of scholars’ (*Kanz al-ʿirfān*, ed. M. B. al-Bihbūdī, Tehran 1384–5, 1:407.3 (to Q3:104), followed by Faṭḥ Allāh Kāshānī (d. 988/1580f.), *Manhaj al-sādiqin* (in Persian), Tehran 1336–7 sh., 2:294.23 (likewise to Q3:104)). Cf. also the reporting of such a view in Wāhidī, *Basīṭ*, I, f. 432a.7 (to Q3:104, speaking of *takḥṣiṣ al-ʿulamāʾ waʿl-umarāʾ waʿl-ladḥina hum aʿlam fi ʿl-amr biʿl-maʿrūf*). The restrictive overtones of such statements are perhaps not to be taken too seriously. Thus Qurtubī has already laid down (in his commentary to Q3:21) that commanding right is incumbent on everyone (‘*ʿumm fi jamiʿ al-nās*’) (*Jāmiʿ*, 4:47.19); and it is generally possible to take ‘*ulamāʾ*’ in the sense of ‘those who know’, who need not in every case be professional scholars. It is by no means the case that Koranic exegesis at large restricts the performance of the duty to scholars (contrast Athamina, ‘The early Murjiʿa’, 122f.).

²³ Thus Ibn ʿAṭīyya (d. 541/1146) (in setting out one view) and Thaʿālibī (d. 873/1468f.) (without qualification) interpret the verse as a divine command that there should be scholars in the community, and that the rest of the community should follow them, in view of the extensive learning required by the duty (Ibn ʿAṭīyya, *al-Muḥarrar al-wajīz*, Rabat 1975–, 3:186.18 (I am grateful to Maribel Fierro for supplying me with copies from volumes of this work which were inaccessible to me); Thaʿālibī, *al-Jawābir al-ḥisān*, ed. ʿA. ʿl-Ṭālibī, Algiers 1985, 1:354.13); and cf. the view they proceed to develop about the distinctive roles of scholars, rulers and others (Ibn ʿAṭīyya, *Muḥarrar*, 3:188.4, and Thaʿālibī, *Jawābir*, 1:355.9; both limit this division of labour to cases of persistent wrong). A Persian exegete writing in 520/1126 holds similar views on this last point (Maybudī, *Kashf*, 2:234.16); and he quotes the view that those who command right are the scholars (‘*ulamāʾ*’) and counsellors (*naṣīḥat-kunandagān*), while those who forbid wrong are the warriors (*ghāziyān*), the scholars, and the just ruler (*sulṭān-i ʿādil*) (*ibid.*, 235.4; on this work, see G. Lazard, *La langue des plus anciens monuments de la prose persane*, Paris 1963, 110, and 119 no. 54). On the roles of scholars, rulers and others, see also below, ch. 6, note 166. But note that even Thaʿālibī does not in the end attempt to confine the duty to scholars (or rulers) (*Jawābir*, 1:355.12). For an explicit rejection of the view that the duty is restricted to the scholars by an Ibādī exegete, see Aṭṭayish (d. 1332/1914), *Ḥimyan al-zād*, ed. ʿA. Shalabī, Oman 1980–, 4:203.18 (the author’s name is given on the title-page as Muḥammad ibn Yūsuf . . . al-Muṣʿabī).

relatively uncommon one. Whatever their understanding of the verse, the commentators at large show little interest in interpreting it in a substantively restrictive sense.

The exegesis of other verses has less to offer on this question. Thus in Q3:110, the exegetes discuss a number of views as to whom God is addressing when He says: 'You were the best community brought forth.'²⁴ One of these views, ascribed to Ḍaḥḥāk ibn Muzāḥim (d. 105/723f.), is that the addressees are the Companions in their roles as the transmitters (*ruwāt*) and propagandists (*duʿāt*) to whom God has enjoined obedience;²⁵ another, ascribed to Qatāda ibn Diʿāma (d. 117/735f.), identifies the addressees as those who wage holy war, bringing people to Islam by fighting them.²⁶ On the other hand, prominent exegetes stress that the verse applies to the members of the community at large.²⁷ Yet these differences are never related to the question who should or should not forbid wrong. Moving on to Q9:112, the commentators entertain a variety of ingenious hypotheses with regard to its syntax,²⁸ and tend to the view that 'those who command right and forbid wrong' are to be identified with the believers who commit themselves to holy war in the previous verse.²⁹ But

²⁴ See, for example, Ṭabarī, *Tafsīr*, 7:100.16; Ibn Abī Ḥātim al-Rāzī (d. 327/938), *Tafsīr al-Qurʿān al-ʿaẓīm*, ed. A. al-ʿAmmārī al-Zahrānī and Ḥ. B. Yāsīn, Medina 1408, 2:469–74 nos. 1156–71; Ṭūsī, *Tibyān*, 2:557.16; Ṭabrisī, *Majmaʿ*, 1:486.18; Abū Ḥayyān, *Baḥr*, 3:27.33; Khāzin (d. 741/1341), *Lubāb al-taʿwīl*, Cairo 1328, 1:288.6. The problem arises in part from the puzzling use of the past tense in the verse (*kuntum khayra ummatin . . .*); on this see, for example, Zajjāj, *Maʿānī*, 1:466.17; Ṭabarī, *Tafsīr*, 7:106.1; Ṭūsī, *Tibyān*, 2:557.2; Ibn ʿAṭīyya, *Muḥarrar*, 3:194.15; Baydāwī, *Anwār*, 2:36.15; Abū Ḥayyān, *Baḥr*, 3:28.9; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:189.13. The view that the tense of the verb has no temporal connotation here is nicely reflected in one translator's rendering of *kuntum* as *būdīd-u shudīd-u bastīd* (Najm al-Dīn al-Nasafī (d. 537/1142), *Tafsīr* (in Persian), ed. ʿA. Juwaynī, n.p. 1353–4 sh., 1:95.5).

²⁵ Ṭabarī, *Tafsīr*, 7:102 no. 7.613; Khāzin, *Lubāb*, 1:288.10; Abū ʿl-Futūḥ-i Rāzī (first half of sixth/twelfth century), *Rawḍ al-janān* (in Persian), ed. ʿA. A. Ghaffārī, Tehran 1382–7, 3:148.6 (on the author, see the editor's introduction, esp. 7–10; also Lazard, *Langue*, 120 no. 57); Abū ʿl-Maḥāsīn al-Jurjānī (ninth or tenth/fifteenth or sixteenth century?), *Jilāʾ al-adhbān* (in Persian), n.p. 1378, 2:102.9; and cf. Wāḥidī, *Basīṭ*, I, f. 433b.4. (The two Imāmī authors find here an invitation to identify the addressees with the imams.) A similar interpretation of Q3:104 is likewise attributed to Ḍaḥḥāk (Ṭabarī, *Tafsīr*, 7:92 no. 7.597; see also Ibn ʿAṭīyya, *Muḥarrar*, 3:186.14; Ibn Kathīr, *Tafsīr*, 2:86.14 (with the explanation 'this means those who wage *jihād* and the *ʿulamāʾ*'); Suyūṭī (d. 911/1505), *al-Durr al-manthūr*, Cairo 1314, 2:62.10; and cf. Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:178.13).

²⁶ Abū ʿl-Futūḥ-i Rāzī, *Rawḍ*, 3:150.14; and cf. Abū ʿl-Layth al-Samarqandī, *Tafsīr*, 1:291.11.

²⁷ Zajjāj, *Maʿānī*, 1:467.1 (reporting this view); Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:191.1 (quoting the view as that of Zajjāj); Abū Ḥayyān, *Baḥr*, 3:28.7; Ibn Kathīr, *Tafsīr*, 2:89.9. Cf. also Wāḥidī, *Basīṭ*, I, f. 433b.5.

²⁸ For a neat presentation of these views, see Ibn al-Samīn al-Ḥalabī (d. 756/1355), *al-Durr al-maṣūn*, ed. A. M. al-Kharrāṭ, Damascus 1986–7, 6:129.4. Most major commentaries mention several of them.

²⁹ See Farrāʾ, *Maʿānī*, 1:453.7; Ṭabarī, *Tafsīr*, 14:500.8; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 16:202.8. Maybudī holds the unusual view that the verse refers back to 'the believers' of Q9:71 (*Kashf*, 4:220.8).

they do not consider (and would doubtless have rejected) any suggestion that the duty is restricted to those engaged in holy war. In the case of Q22:41, the exegetes again offer several views as to the identity of the performers: the community at large,³⁰ the Companions of the Prophet,³¹ the Muhājirūn,³² the Orthodox caliphs,³³ rulers (*wulāt*).³⁴ But again, there is no attempt to restrict the duty on this basis.³⁵ It may be noted in passing that the activities of the officially appointed censor of morals and commercial practice (*muhtasib*) are almost universally ignored by the exegetes.³⁶

As to who is the target of the duty, the exegetes have almost as little to tell us as do the verses themselves. Occasionally they supply the vague object 'people' (*al-nās*) for the verb 'command'.³⁷

³⁰ Wāḥidī, *Wasīf*, 3:274.8 (citing Ḥasan (al-Baṣrī) (d. 110/728) and 'Ikrima (d. 107/725f.); Qurṭubī, *Jāmi'*, 12:73.3, citing 'Ikrima, Ḥasan al-Baṣrī and Abū 'l-Āliya (d. 90/708f.). Wāḥidī adds that the conjunction of forbidding wrong with prayer and the alms-tax in this verse shows it to be obligatory.

³¹ *Ibid.* (citing Qatāda; Ṭabarī (d. 310/923), *Jāmi' al-bayān*, Cairo 1323–9, 17:126.24; Wāḥidī, *Wasīf*, 3:274.7 (also citing Qatāda); Hūd ibn Muḥakkam al-Hawwārī (third/ninth century), *Tafsīr*, ed. B. S. Sharīfī, Beirut 1990, 3:120.16 (for this work and its author, see J. van Ess, 'Untersuchungen zu einigen ibāḍitischen Handschriften', *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 126 (1976), 42f. no. 5; for its heavy dependence on the *Tafsīr* of Yaḥyā ibn Sallām (d. 200/815), see 23f. of Sharīfī's introduction; also M. Muranyi, 'Neue Materialien zur *tafsīr*-Forschung in der Moscheebibliothek von Qairawān', in S. Wild (ed.), *The Qur'an as text*, Leiden 1996, 228). ³² Fakhr al-Dīn al-Rāzī, *Tafsīr*, 23:41.21; and cf. Ṭūsī, *Tibyan*, 7:322.16.

³³ Fakhr al-Dīn al-Rāzī, *Tafsīr*, 23:41.24; Qurṭubī, *Jāmi'*, 12:73.1; Maybudī, *Kashf*, 6:380.18; and the early Persian commentary (second half of the fourth/tenth or first half of the fifth/eleventh century) preserved in Cambridge (anon., *Tafsīr-i Qur'ān-i majīd*, ed. J. Matīnī, n.p. 1349 sh., 1:162.17) (for this text, see Lazard, *Langue*, 56–8 no. 9).

³⁴ Qurṭubī, *Jāmi'*, 12:73.5, and Abū Ḥayyān, *Bayh*, 6:376.11 (both citing Ibn Abī Najīḥ (d. 131/748f.), and adding a saying of Ḍaḥḥāk's); Naḥḥās (d. 338/950), *Ma'ānī 'l-Qur'ān al-karīm*, ed. M. 'A. al-Ṣābūnī, Mecca 1988–, 4:420.1 (citing Ibn Abī Najīḥ). Another Persian commentary mentions a view that the reference is to the Orthodox caliphs and just rulers (*amīrān-i 'ādil*) (anon. (fourth/tenth or first half of fifth/eleventh century), *Tafsīrī bar 'ushrī az Qur'ān-i majīd*, ed. J. Matīnī, Tehran 1352 sh., 263.4; for the dating, see the editor's introduction, xxii). An exegesis transmitted by Kalbī (d. 146/763f.) refers the verse to the Banū Hāshim (sc. the 'Abbāsids), past and future (Khaṭīb, *Ta'rikh Baghdād*, 14:69.3; I owe this reference to Nurit Tsafirir).

³⁵ Qurṭubī, however, invokes the verse in discussing the restriction of the duty to the scholars in his commentary to Q3:104 (*Jāmi'*, 4:165.15; as this passage confirms, *yumakkan* is to be read for *yakun*, *ibid.*, 12:73.2).

³⁶ I know only one exception: Nizām al-Dīn al-Naysābūrī, who devotes a large part of his commentary on Q3:104 to the role of the official *muhtasib* (*Gharā'ib*, 4:28.17). Where other exegetes use the term *ihṭisāb*, the reference is simply to *al-amr bi'l-ma'rūf* in general (Bayḍāwī makes occasional use of the term, see *Anwār*, 2:35.9 (to Q3:104), 38.9 (to Q3:114); whence Abū 'l-Su'ūd al-'Imādi (d. 982/1574), *Irshād al-'aql al-salīm*, Riyāḍ n.d., 1:528.14 (to Q3:104); Fayḍ, *Sāfi*, 1:344.4 (to Q3:114); Kāshānī, *Manhaj*, 2:305.23 (to Q3:114)). This usage is borrowed from Ghazzālī (d. 505/1111), see below, ch. 16, 428f.

³⁷ So Muqāṭil to Q3:110 (*Tafsīr*, 1:295.5), Ṭabarī to Q3:104 (*Tafsīr*, 7:91.1), and Abū 'l-Su'ūd to Q3:104 (*Irshād*, 1:529.4); in the case of Q3:110 this echoes the occurrence of the word earlier in the verse. Ibn 'Aṭīyya, in his analysis of the view that Q3:104 is addressed to the community at large, states that in this view the verse would be a command for the community to call the whole world (*jāmi' al-'ālam*) to good – the unbelievers to Islam, the sinners to obedience (Ibn 'Aṭīyya, *Muḥarrar*, 3:187.12). Abū 'l-Faṭḥ

With regard to the question of the scope of the obligation, the most interesting phenomenon in the exegetical literature is an early approach which tends to present the duty as simply one of enjoining belief in God and His Prophet.³⁸ This approach is first firmly attested in the works of Muqātil ibn Sulaymān (d. 150/767f.), especially in one on the meanings (*wujūb*) of Koranic terms. According to this work, ‘commanding right’ in Q3:110, Q9:112 and Q31:17 means enjoining belief in the unity of God (*tawhīd*), while ‘forbidding wrong’ in these verses means forbidding polytheism (*shirk*); at the same time, in Q3:114 and Q9:71, ‘commanding right’ refers to following (*ittibāʿ*) and affirming belief (*taṣḍīq*) in the Prophet, and ‘wrong’ refers to denying (*takdhīb*) him.³⁹ This analysis is repeated in later works of the same genre.⁴⁰ There are also examples of this type of thinking in the mouths of even earlier authorities. There is a sweeping view ascribed to Abū ʿl-ʿĀliya (d. 90/708f.) according to which, in all Koranic references to ‘commanding right’ and ‘forbidding wrong’, the former refers to calling people from polytheism to Islam, and the latter to forbidding the worship

Footnote 37 (*cont.*)

al-Jurjānī (d. 976/1568f.) in his paraphrase of Q3:110 speaks of the believers commanding and forbidding each other (*Tafsīr-i shāhī*, ed. W. al-Ishrāqī, Tabriz 1380, 2:102.6; cf. Miqdād, *Kanz*, 1:405.15). Q66:6 tells the believers to ‘guard yourselves and your families’ from hellfire; Ṭūsī remarks that this verse requires that the duty be performed in the first instance towards those closest to us (*lil-aqrab faʿl-aqrab*) (*Tibyān*, 10:50.9).

³⁸ On the rare occasions when we encounter this approach outside exegetical and related literature, it tends to remain tied to the relevant Koranic verses. A case in point is the treatment of Q9:67 and Q9:71 by Wāqidi (d. 207/823) in his chapter on scripture revealed during the Tabūk expedition of the year 9/630 (*Maghāzī*, ed. M. Jones, London 1966, 1067.12, 1068.6). For an exception, see below, ch. 8, note 96. This exegetical trend is perceptively noted by van Ess (*Theologie*, 2:389).

³⁹ Muqātil ibn Sulaymān (d. 150/767f.), *al-Ashbāh waʿl-naẓāʾir*, ed. ʿA. M. Shihāta, Cairo 1975, 113f. no. 13 (cited in van Ess, *Theologie*, 2:389 n. 23; on the work and the genre in general, see *ibid.*, 524–7). (There is no reference here to Q3:104, Q7:157, Q9:67, or Q22:41.) The exegeses of Q3:114, Q9:71, Q9:112 and Q31:17 also appear in his *Tafsīr* (1:296.12, 2:181.13, 199.2, 3:435.8 (where for *al-sharr* read *al-shirk*)). The exegesis of Q31:17 appears further in Muqātil’s *Tafsīr al-khams miʿat āya*, ed. I. Goldfeld, Shfaram 1980, 278.15 (also cited in van Ess, *Theologie*, 2:389 n. 23). However, at Q3:110 Muqātil in his *Tafsīr* glosses *maʿrūf* as *īmān*, and *munkar*, it seems, as *ẓulm* (*Tafsīr*, 1:295.5). Turning to the exegeses given in the *Tafsīr* for verses ignored in the *Ashbāh*, Q3:104 is unglossed (*Tafsīr*, 1:293.18); to Q7:157 we are offered the glosses *īmān* and *shirk* (*Tafsīr*, 2:67.9); Q9:67 is glossed similarly to Q3:114 and Q9:71 (*ibid.*, 180.9); and Q22:41 is glossed similarly to Q3:110, Q9:112 and Q31:17 (*ibid.*, 3:130.7). I am grateful to Uri Rubin for giving me access to many of these passages through his copy of the manuscript of Muqātil’s *Tafsīr*; this was in the days before Shihāta’s full publication had become available.

⁴⁰ It appears, with little change, in works of Yahyā ibn Sallām (d. 200/815), Ḥusayn ibn Muhammad al-Dāmaghānī (fifth/eleventh century?), Ibn al-Jawzī (d. 597/1201), and Ibn al-ʿImād (d. 887/1482) (Yahyā ibn Sallām, *Taṣāwīf*, ed. H. Shalabī, Tunis 1979, 203 no. 42; Dāmaghānī, *al-Wujūb waʿl-naẓāʾir*, ed. A. Bihruzī, Tabriz 1366 sh., 113.3 (on this work and its author, see E. Kohlberg, *A medieval Muslim scholar at work: Ibn Tāwūs and his library*, Leiden 1992, 387f. no. 658); Ibn al-Jawzī, *Nuẓhat al-ʿayn*, ed. M. ʿA. K. al-Rāḍī, Beirut 1984, 544 no. 270, 574 no. 286; Ibn al-ʿImād, *Kashf al-sarāʾir*, ed. F. ʿA. Aḥmad and M. S. Dāwūd, Alexandria n.d., 145 no. 38).

of idols and devils.⁴¹ Similar views are attributed to other early authorities, such as Saʿīd ibn Jubayr (d. 95/714) (regarding Q9:112 and Q31:17)⁴² and Ḥasan al-Baṣrī (d. 110/728) (regarding Q9:112).⁴³

This approach is adopted from time to time by the classical exegetes, though never, to my knowledge, consistently;⁴⁴ and as might be expected,

⁴¹ Tabarī, *Tafsīr*, 14:348 no. 16,938 (to Q9:71); *ibid.*, 507 no. 17,317 (to Q9:112); Ibn Abī Ḥātim, *Tafsīr*, 2:460 nos. 1128, 1130 (to Q3:104), and cf. *ibid.*, 475 no. 1173 (to Q3:110). For similar traditions from Abū ʿĪ-ʿĀliya, see Tabarī, *Jāmiʿ al-bayān*, 17:126.32 (to Q22:41), and Mujaḥid ibn Jabr (d. 104/722f.), *Tafsīr*, ed. ʿA. Ṭ. M. al-Sūrātī, n.p. n.d., 505.1 (to Q31:17; for this work see F. Leemhuis, 'MS. 1075 Tafsīr of the Cairene Dār al-Kutub and Muḡahid's *Tafsīr*', in R. Peters (ed.), *Proceedings of the Ninth Congress of the Union Européenne des Arabisants et Islamisants*, Leiden 1981; and F. Leemhuis, 'Origins and early development of the *tafsīr* tradition', in A. Rippin (ed.), *Approaches to the history of the interpretation of the Qurʾān*, Oxford 1988, 19–25). The common link in these transmissions is the second/eighth-century traditionist Abū Jaʿfar al-Rāzī. For citations without *isnāds*, see Wāḥidī, *Basīṭ*, II, f. 579b.8 (to Q9:71); Abū Ḥayyān, *Baḥr*, 3:29.32 (to Q3:110), 5:70.33 (to Q9:71); Abū ʿĪ-Futūḥ-i Rāzī, *Rawḍ*, 6:68.10 (to Q9:71); Suyūṭī, *Durr*, 2:62.6 (to Q3:104), 3:255.15 (to Q9:67).

⁴² Māwardī (d. 450/1058), *al-Nukat waʿl-ʿuyūn*, ed. S. ʿA. ʿAbd al-Raḥīm, Beirut 1992, 2:407.20, 408.3 (to Q9:112); Suyūṭī, *Durr*, 5:166.19 (to Q31:17).

⁴³ Tabarī, *Tafsīr*, 14:506 no. 17,315 (to Q9:112); and cf. Hūd ibn Muḥakkam, *Tafsīr*, 2:151.1 (to Q9:71). A similar view is ascribed to Ibn ʿAbbās (d. 68/687f.) in one tradition (Suyūṭī, *Durr*, 3:282.9 (to Q9:112); and cf. Tabarānī (d. 360/971), *Daʿāʾ*, ed. M. ʿA. ʿAtā, Beirut 1993, 447 no. 1543 (re Q3:110; I owe this reference to Mona Zaki); Wāḥidī, *Basīṭ*, I, f. 436b.18 (to Q3:114), II, f. 578a.7 (to Q9:67), II, f. 579b.7 (to Q9:71); Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:202.25 (to Q3:114), and Abū Ḥayyān, *Baḥr*, 3:29.32 (to Q3:110); cf. below, note 47. See also Mujaḥid, *Tafsīr*, 133.8 (to Q3:110).

⁴⁴ Hūd ibn Muḥakkam sometimes adopts it (as he does to Q3:110, *Tafsīr*, 1:306.13), but sometimes explains *maʿrūf* as that which people know to be justice (*ʿadl*) and *munkar* as that which they know to be injustice (*jawr*) (as to Q9:112, *ibid.*, d. 68/171.1), and sometimes offers both as alternatives (as to Q9:67, *ibid.*, 149.5). Zajjāj adopts it in his commentaries to Q9:67 (*Maʿānī*, 2:509.15), Q9:112 (*ibid.*, 523.17), and in part Q3:114 (*ibid.*, 1:471.10); but in the case of Q9:112, he offers as an alternative the view that the reference may be to 'all *maʿrūf*' and 'all *munkar*' (*ibid.*, 2:524.1). Māturīdī cites both these views to Q3:114 without making a choice (*Taʿwīlāt*, f. 47b.25). Abū ʿĪ-Layth al-Samarqandī regularly speaks of *tawḥīd* or *ittibāʿ Muḥammad* on the one hand and of *shirk* on the other (*Tafsīr*, 1:291.15 (to Q3:110), 292.25 (to Q3:114), 574.8 (to Q7:157), 2:61.15 (to Q9:71), 76.6 (to Q9:112), 397.17 (to Q22:41), and cf. *ibid.*, 1:289.16 (to Q3:104, citing Kalbī), 589.26 (to Q7:199), 2:60.10 (to Q9:67), 3:22.21 (to Q31:17)). This is likely to reflect his marked dependence on Muqātil (see the remarks of ʿA. A. al-Zaqqa in his introduction to his partial edition of the *Tafsīr* of Abū ʿĪ-Layth, Baghdad 1985–6, 1:136f.; nevertheless Abū ʿĪ-Layth usually adds wordings which widen the meaning). Wāḥidī sometimes does likewise, as in his commentaries to Q9:67 and Q9:71 (*Wajīz*, 471, 472; *Wasīṭ*, 2:508.15, 509.21); but in his commentaries to Q9:112, for example, he adopts or adds a mainstream view (*Wajīz*, 483; *Wasīṭ*, 2:527.6; *Basīṭ*, II, f. 601b.10). Another example is Ṭabrisī in his commentary to Q3:114 (*Majmaʿ*, 1:489.30), but contrast his glossing of *maʿrūf* as *tāʾāt* and of *munkar* as *maʿāṣi* in his commentary to Q3:110 (*ibid.*, 1:486.21). Maybudī follows the same approach in his commentary to Q3:114 (*Kashf*, 2:248.17), but contrast below, note 49. The Khāzin confines himself to this approach in his commentary to Q3:110 (*Lubāb*, 1:289.14), but elsewhere tends to give alternatives (see the following note). The Zaydī imam al-Nāṣir Abū ʿĪ-Faṭḥ al-Daylamī (d. 444/1052f.) offers such glosses to Q9:112 (*al-Burḥān fī tafsīr al-Qurʾān*, in a manuscript copied in 1046/1637 of which I possess a xerox but am not certain of the location, f. 85b.17, and cf. *ibid.*, f. 155a.25, to Q29:45) (for this imam, see W. Madelung, *Der Imam al-Qāsim ibn Ibrāhīm und die Glaubenslehre der Zaiditen*, Berlin 1965, 205).

they not infrequently mention it among competing views.⁴⁵ But Ṭabarī (d. 310/923) in his commentary to Q9:112 explicitly states his disagreement, observing that ‘commanding right’ refers to *all* that God and His Prophet have commanded, and ‘forbidding wrong’ to *all* that they have forbidden.⁴⁶ Elsewhere his formulations tend to take up the terms of Muqātil’s exegesis, but to indicate in one way or another that the duty has a wider range.⁴⁷ Other commentators rarely take as strong a stand as Ṭabarī,⁴⁸ but likewise tend to indicate the broad scope of the duty, even when giving pride of place to Muqātil’s terms.⁴⁹ This, of course, goes well with the generalised character of ‘right’ and ‘wrong’ (*ma’rūf* and *munkar*) as ethical terms elsewhere in the Koran.

As Ṭabarī clearly perceived, if the scope of the duty is restricted to enjoining belief in God and His Prophet, then it has nothing to do with reproving other Muslims for drinking, wenching and making music. Yet the implication that was obvious to Ṭabarī is never spelled out by the early exegetes themselves when they propound their view. This silence is doubtless related to the fact that the whole approach, though widely attested in Koranic exegesis, is virtually unknown elsewhere.

⁴⁵ Thus some commentators to Q7:157 mention the equation of *ma’rūf* with *imān* and of *munkar* with *shirk* among other interpretations of the terms (Abū Ḥayyān, *Baḥr*, 4:403.31, citing Muqātil; Abū ‘l-Futūḥ-i Rāzī, *Rawḍ*, 5:306.12; Khāzin, *Lubāb*, 2:147.27, giving this view pride of place, as he also does in his commentary to Q9:112, *ibid.*, 2:285.16). See also Ibn ‘Aṭīyya, *Muḥarrar*, 3:188.17 (to Q3:104, spelling out the implication that the verse would then refer to *jihād*); Khāzin, *Lubāb*, 1:291.9 (to Q3:114); Abū ‘l-Faṭḥ al-Daylamī, *Burhān*, f. 83a.24 (to Q9:67); Aṭfayyish, *Himyan*, 4:229.20 (to Q3:114).

⁴⁶ Ṭabarī, *Tafsīr*, 14:507.8. Cf. also his generalising exegesis of the injunction *wa-‘mur bi’l-‘urf* in Q7:199 (*ibid.*, 13:331.13).

⁴⁷ *Ibid.*, 7:105.4 (to Q3:110), 130.8 (to Q3:114), 13:165.12 (to Q7:157), 14:338.2 (to Q9:67), 347.7 (to Q9:71), 506.8 (to Q9:112); Ṭabarī, *Jāmi‘ al-bayān*, 17:126.26 (to Q22:41). A view he quotes from Ibn ‘Abbās makes the point nicely: affirmation of the unity of God is the highest good (*a‘zam al-ma’rūf*), and its denial (*takdhīb*) is the worst evil (*ankar al-munkar*) (*Tafsīr*, 7:105 no. 7,624 (to Q3:110); similarly Ibn Abī Ḥātim, *Tafsīr*, 2:474f. nos. 1172, 1174 (to Q3:110); Māturīdī, *Ta‘milāt*, f. 46a.26 (to Q3:110); Ṭabarānī, *Du‘ā’*, 447 no. 1543 (re Q3:110); Suyūṭī, *Durr*, 2:64.18 (to Q3:110), 3:255.13 (to Q9:67); Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:192.4 (to Q3:110)).

⁴⁸ One exception is Fakhr al-Dīn al-Rāzī in his commentary to Q3:114, where he emphasises that the terms *ma’rūf* and *munkar* must be taken without restriction, and comprehend all *ma’rūf* and all *munkar* (*Tafsīr*, 8:202.26). See also Abū Ḥayyān, *Baḥr*, 3:20.33 (to Q3:104), for a less forcible statement to the same effect.

⁴⁹ See, for example, Wāḥidī, *Basīṭ*, II, f. 449b.6 (to Q7:157), citing Kalbī; Ibn ‘Aṭīyya, *Muḥarrar*, 3:189.2 (to Q3:104), 8:287.2 (to Q9:112); Maybudī, *Kashf*, 3:760.17 (to Q7:157), 4:220.21 (to Q9:112); Fakhr al-Dīn al-Rāzī, *Tafsīr*, 15:24.15 (to Q7:157), 16:126.11 (to Q9:67), 204.26 (to Q9:112); Bayḍāwī, *Anwār*, 2:298.16 (to Q9:112); Abū Ḥayyān, *Baḥr*, 3:29.31 (to Q3:110); Najm al-Dīn al-Nasafī, *Tafsīr*, 1:95.6 (to Q3:110); Ḥusayn Wā‘iz Kāshif (d. 910/1504f.), *Mawāhib-i ‘aliyya*, Tehran 1317–29 sh., 1:174.17 (to Q3:114); Kāshānī, *Manhaj*, 2:305.19 (to Q3:114). Cf. also such translations of *ma’rūf* as *kārbā-yi pasandida* (to Q3:110) (Mu‘in al-Dīn Nishāpūrī (sixth/twelfth century), *Tafsīr-i baṣāyir-i yamīnī*, n.p. 1359–sh., 1:364.4), *shāyast-hā wa bayāst-hā* (to Q3:114) (*ibid.*, 366.3), *kārbā-yi nik* (to Q3:104) (Najm al-Dīn al-Nasafī, *Tafsīr*, 1:94.7).

What do the commentators have to say about the more significant elements in the peripheral Koranic material we looked at above?

The glossing of the term 'right' (*ma'rūf*) in the numerous Koranic passages in which it occurs has relatively little to offer us. Such explications tend to vary widely with the context,⁵⁰ yielding a proliferation of meanings formally recognised in the literature on the meanings of Koranic terms.⁵¹ But as might be expected, 'right' and 'wrong' (*munkar*) also attract attempts at more formal definition. Many of these definitions make reference to both revelation and reason; thus for Rāghib al-Iṣbahānī (*fl.* later fourth/tenth century), right can be defined as 'any action the goodness (*ḥusn*) of which is known by reason (*ʿaql*) or revelation (*sharʿ*)'.⁵² Still more of them refer only to revelation; thus for Zajjāj, right means 'everything recognised (*urīfa*) by revelation (*sharʿ*)'.⁵³ A few definitions refer only to reason (*ʿaql*).⁵⁴ This variation, whatever its

⁵⁰ An indication of the ways in which Muqātil deals with occurrences of the term in his commentary to the first four Sūras will suffice here. He offers as synonyms *riḥq* (*Tafsīr*, 1:158.7 (to Q2:178)) and *ihṣān* (*ibid.*, 194.20 (to Q2:229), 196.9 (to Q2:231), 364.18 (to Q4:19)). He glosses *qawl ma'rūf* as *ʿida ḥasana* (*ibid.*, 199.11 (to Q2:235), 358.2 (to Q4:5), 359.14 (to Q4:8)) or *qawl ḥasan* (*ibid.*, 220.1 (to Q2:263)). Elsewhere he repeats the term *ma'rūf* in his exegesis (as at *ibid.*, 159.10 (to Q2:180)), ignores it (as at 194.15 (to Q2:228)), or gives it a behavioural specification appropriate to the context (as at *ibid.*, 197.9 (to Q2:232), *ibid.*, 358.9 (to Q4:6), *ibid.*, 406.16 (to Q4:114)).

⁵¹ Muqātil, *Ashbāḥ*, 114f. no. 14 (where *qard* is to be read for *fard*); Yahyā ibn Sallām, *Taṣārīf*, 204f. no. 43; Dāmaghānī, *Wujūb*, 766f.; Ḥubaysh ibn Ibrāhīm al-Tiflīsī (writing 558/1163), *Wujūb-i Qurʾān*, ed. M. Muḥaqqiq, Tehran 1340 sh., 272f.; Ibn al-Jawzī, *Nuzha*, 574f.; Ibn al-ʿImād, *Kaṣḥ al-sarāʾir*, 146f. no. 39 (again read *qard* for *fard*).

⁵² See al-Rāghib al-Iṣbahānī (*fl.* later fourth/tenth century), *al-Mufradāt fī ḡharīb al-Qurʾān*, ed. M. A. Khalaf Allāh, n.p. 1970, 2:496b.4. See also Ṭūsī, *Tibyān*, 5:299.10 (to Q9:71), 8:279.17 (to Q31:17, defining *munkar*); Ṭabrisī, *Majmaʿ*, 3:50.3 (to Q9:71), 4:319.16 (to Q31:17); Abū ʿl-Futūḥ-i Rāzī, *Rawḍ*, 5:306.15 (to Q7:157); Muʿīn al-Dīn Nishāpūrī, *Baṣāʾir*, 1:362.8 (to Q3:104); Khāzin, *Lubāb*, 1:285.22 (to Q3:104, but contrast the following note); Abū ʿl-Faṭḥ al-Daylamī, *Burhān*, f. 155a.25 (to Q29:45, defining *munkar*, but cf. below, note 54). Ṭūsī has a different definition in his commentary to Q3:104 (*Tibyān*, 2:549.3; similarly Abū ʿl-Futūḥ-i Rāzī, *Rawḍ*, 3:141.3).

⁵³ *Apud* Abū Ḥayyān, *Bahr*, 4:403.31 (to Q7:157). See also Ṭabarī, *Tafsīr*, 7:105.12 (to Q3:110), 9:201.14 (to Q4:114); Wāḥidī, *Basīṭ*, II, f. 449b.8 (to Q7:157, citing Kalbī's definition of *munkar* as what is not recognised in *sharīʿa* or *sunna*); Ibn ʿAṭīyya, *Muḥarrar*, 7:179.17 (to Q7:157, subsuming *murūʿa* under *sharʿ*); Abū ʿl-Futūḥ-i Rāzī, *Rawḍ*, 6:68.10 (to Q7:157, defining *munkar*); Khāzin, *Lubāb*, 2:147.28 (to Q7:157, mentioning rather than adopting the definition), 2:260.4 (to Q9:71, with a definition of *munkar* which refers also to *ṭabʿ*); Thaʿālibī, *Jawābir*, 2:77.20 (to Q7:157, following Ibn ʿAṭīyya); Kāshifī, *Mawāhib*, 1:171.15 (to Q3:104); Kāshānī, *Manḥaj*, 2:299.7 (to Q3:110).

⁵⁴ Such formulations appear in Jaṣṣās, *Aḥkām*, 3:38.10 (*al-ma'rūf huwa mā ḥasuna fī ʿl-ʿaql fī ḥuḥu*), Ṭūsī, *Tibyān*, 3:596.10 (to Q5:79, defining *munkar*), 4:594.6 (to Q7:157), Abū ʿl-Faṭḥ al-Daylamī, *Burhān*, f. 83a.24 (to Q9:67, defining *munkar*), and Ṭabrisī, *Majmaʿ*, 2:231.29 (to Q5:79, defining *munkar*), 487.29 (to Q7:157); and cf. Ibn al-Jawzī (d. 597/1201), *Zād al-maṣīr*, Damascus and Beirut 1964–8, 3:272.20 (to Q7:157), and Mawārid, *Nukat*, 2:268.20 (to Q7:157), 379.11 (to Q9:67). Māturīdī presents both views within a framework of three possible interpretations (*wujūb*), without expressing a preference (*Taʿwīlāt*, f. 46a.22, to Q3:110). Abū ʿl-Layth al-Samarqandī cites both views anonymously, and offers no comment (*Tafsīr*, 1:289.17 (to Q3:104)). Cf. also below, ch. 7, notes 69, 108, and ch. 15, note 59.

doctrinal significance,⁵⁵ has no real implications for the character of the duty, and the upshot is to confirm ‘commanding right’ and ‘forbidding wrong’ as second-order duties which have no determinate content in themselves.⁵⁶

With regard to the Koranic expressions ‘commanding X’ and ‘forbidding Y’, the tendency of the exegetes is to assimilate them to ‘commanding right’ and ‘forbidding wrong’ with little if any reflection. Thus Ṭabarī has no difficulty equating the term *‘urf* in Q7:199 with ‘right’ (*ma‘rūf*),⁵⁷ while Qurṭubī (d. 671/1273) goes so far as to pin his main discussion of forbidding wrong to the reference to ‘those who command justice (*qist*)’ in Q3:21.⁵⁸ Commentators to Q7:165 regularly assume that the whole passage to which it belongs is concerned with the duty,⁵⁹ but they rarely bother to comment specifically on the locution ‘forbid evil (*sū*)’.⁶⁰

We come now to the two verses that, despite their lack of unambiguous reference to the duty, alone give support to the idea that it is to be performed by members of the community to each other.

With regard to the *yatanāhawna* of Q5:79, the commentators ignore the variant reading *yantahūna*, and favour the interpretation of *yatanāhawna* as ‘forbid each other’, rather than ‘desist’. Thus Fakhr al-Dīn al-Rāzī

⁵⁵ It does not seem to be very great, despite the disagreement between Mu‘tazilites and Ash‘arites as to whether good and evil are so by nature or by divine fiat (see M. J. McDermott, *The theology of al-Shaikh al-Mufīd*, Beirut 1978, 62f.). Ṭabrisī in his commentary to Q3:104 quotes alternative definitions, one appealing to revelation alone, and the other to revelation and reason; he comments that there is no real difference in meaning (*ma‘nā*) between them (*Majma‘*, 1:483.30 (to Q3:104); and cf. Abū ‘l-Barakāt al-Nasafī (d. 701/1301), *Madārik al-tanzīl*, Cairo 1936–42, 1:240 nn. 1f. (to Q3:104)).

⁵⁶ As one Ash‘arite scholar puts it, the details of the duty are tantamount to the entire law of Islam (*tafāṣīluhā al-shar‘ min muftatahībī ilā mukhtatamībī*) (Juwaynī (d. 478/1085), *al-Irshād ilā qawāṭi‘ al-adilla fī uṣūl al-i‘tiqād*, ed. M. Y. Mūsā and ‘A. ‘A. ‘Abd al-Ḥamīd, Cairo 1950, 370.9).

⁵⁷ Ṭabarī, *Tafsīr*, 13:331.8 (despite some inhomogeneity in the views of earlier exegetes, see *ibid.*, 330f. nos. 15,547–51); and see ‘Abd al-Razzāq ibn Hammām al-Ṣan‘ānī (d. 211/827), *Tafsīr al-Qur‘ān*, ed. M. M. Muḥammad, Riyāḍ 1989, 1:245.15.

⁵⁸ Qurṭubī, *Jāmi‘*, 4:47–9. His precursor Ibn al-‘Arabī (d. 543/1148) had already taken the verse as an invitation to plunge straight into a major discussion of *al-amr bi‘l-ma‘rūf* (*Aḥkām al-Qur‘ān*, ed. ‘A. M. al-Bajāwī, Cairo 1957–8, 266.5). Ṭūsī states explicitly that the verse refers to ‘those who command right and forbid wrong’ (*Tibyān*, 2:423.13; cf. also Abū ‘l-Futūḥ-i Rāzī, *Rawḍ*, 2:483.9; Abū ‘l-Layth al-Samarqandī, *Tafsīr*, 1:256.1; Māwardī, *Nukat*, 1:381.17). The equation of commanding justice with commanding right is already implicit in the Prophetic tradition quoted by the commentators from Abū ‘Ubayda ibn al-Jarrāḥ (d. 18/639) (*ibid.*, 381.18; Qurṭubī, *Jāmi‘*, 4:46.17; Ṭūsī, *Tibyān*, 2:422.10; Ṭabrisī, *Majma‘*, 1:423.16; Abū ‘l-Futūḥ-i Rāzī, *Rawḍ*, 2:483.12; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 7:229.13; Suyūṭī, *Durr*, 2:13.24).⁵⁹ See below, note 69.

⁶⁰ Muqātil glosses *sū* with *ma‘āṣi* (*Tafsīr*, 2:71.2). Ibn ‘Aṭīyya comments that *sū* is a general term for all sins, though in this context referring specifically to fishing (on the Sabbath) (*Muḥarrar*, 7:189.14); this is repeated by Abū Ḥayyān (*Baḥr*, 4:412.21) and Tha‘ālibī (*Jawābir*, 2:82.12).

(d. 606/1210) notes both interpretations, but describes the first as that of the mainstream (*jumbūr*).⁶¹ Of other commentators who refer to both, a few give no indication of preference,⁶² or even combine the two meanings;⁶³ but most in one way or another relegate 'desist' to a secondary position.⁶⁴ Commentators who confine themselves to only one interpretation almost always choose 'forbid each other';⁶⁵ the only significant exception is Wāḥidī (d. 468/1076) in one of his works.⁶⁶ At the same time, several commentators treat the verse as an invitation to rail against laxity in the performance of the duty.⁶⁷ It is clear, then, that Koranic exegesis has put most of its weight behind the interpretation of Q5:79 as a reference to the mutual forbidding of wrongs committed within the community.⁶⁸

⁶¹ Fakhr al-Dīn al-Rāzī, *Tafsīr*, 12:64.12; so already Wāḥidī, *Basīṭ*, II, f. 221a.19, 221b.11.

⁶² So Bayḍāwī and Muḥsin al-Fayḍ (Bayḍāwī, *Anwār*, 2:164.8; Fayḍ, *Ṣāfi*, 2:75.7).

⁶³ So Ṭabarī, Abū 'l-Layth al-Samarqandī, Ṭūsī, and Ṭabrisī in his major commentary (Ṭabarī, *Tafsīr*, 10:496.4; Abū 'l-Layth al-Samarqandī, *Tafsīr*, 1:453.5; Ṭūsī, *Tibyān*, 3:595.21; Ṭabrisī, *Maḥma'*, 2:231.25 (and cf. 231.5)). Ṭabarī's commentary to this verse is again surprisingly brief – a few lines and a single short tradition.

⁶⁴ So Zamakhsharī, Ṭabrisī in his minor commentary, the Khāzin, and Abū Ḥayyān (Zamakhsharī, *Kashshāf*, 1:667.3, 667.11; Ṭabrisī, *Jawāmi'*, 1:397.1; Khāzin, *Lubāb*, 1:516.22; Abū Ḥayyān, *Baḥr*, 3:540.14, 540.26). Ibn Manzūr (d. 711/1311f.) follows this line in his lexicon (*Lisān al-'Arab*, Beirut 1968, 15:344a.5).

⁶⁵ This seems to be the view taken by Muqātil (*Tafsīr*, 1:496.14), and is unambiguously that adopted by Tujībī (d. 419/1028), Tha'labī, Wāḥidī in his *Wasīṭ*, Baghawī, Ibn al-Jawzī, Qurṭubī, Ibn Kathīr, Biqā'ī (d. 885/1480), and the two Jalāl al-Dīns, Maḥallī (d. 864/1459) and Suyūṭī (Tujībī, *Mukhtaṣar min Tafsīr al-imām al-Ṭabarī*, Cairo 1970–1, 1:152.7; Tha'labī, *Kashf*, f. 204b.23; Wāḥidī, *Wasīṭ*, 2:215.12; Baghawī, *Ma'ālim*, 3:84.10; Ibn al-Jawzī, *Zād al-masīr*, 2:406.9; Qurṭubī, *Jāmi'*, 6:253.7; Ibn Kathīr, *Tafsīr*, 2:618.15; Biqā'ī, *Naṣm al-durar*, Hyderabad 1969–84, 6:265.10; Maḥallī and Suyūṭī, *Tafsīr al-Qur'ān al-karīm* (= *Tafsīr al-Jalālayn*), Cairo 1966, 121.2). The Persian exegetes follow suit, as in the translations of the (fourth/tenth century?) *Qur'ān-i Quds*, Najm al-Dīn al-Nasafī and Ḥusayn Wā'iṣ Kāshifī, and the commentaries of Abū 'l-Futūḥ-i Rāzī, Abū 'l-Maḥāsīn Jurjānī, and Faṭḥ Allāh Kāshānī (anon., *Qur'ān-i Quds: kuhantarīn bargardān-i Qur'ān bah Fārsī*?, ed. 'A. Riwāqī, Tehran 1364 sh., 60; Najm al-Dīn al-Nasafī, *Tafsīr*, 1:171.5; Kāshifī, *Mawāhib*, 1:345.20; Abū 'l-Futūḥ-i Rāzī, *Rawḍ*, 4:301.15; Jurjānī, *Jila' al-adhbān*, 2:417.12; Kāshānī, *Manhaj*, 3:300.12).

⁶⁶ Wāḥidī, *Wajiz*, 331 (*lā yantahūn*). Cf. also the anonymous *Tarjuma-i Tafsīr-i Ṭabarī* (third quarter of the fourth/tenth century), ed. Ḥ. Yaghmā'ī, Tehran 1339–sh., 421.9 (*nah bāz istādānd az zishṭī*) (for this text, see Lazard, *Langue*, 41–5 no. 3).

⁶⁷ Zamakhsharī is particularly eloquent on this theme (*Kashshāf*, 1:667.5); see also Maybudī, *Kashf*, 3:197.4 (and cf. *ibid.*, 2:234.10 to Q3:104); Kāshifī, *Mawāhib*, 1:345.22; Kāshānī, *Manhaj*, 3:300.17. Ibn Kathīr takes the verse as an occasion to introduce a long series of *ḥadīths* regarding *al-amr bi'l-ma'rūf* in general (*Tafsīr*, 2:619.28–622.9).

⁶⁸ Compare the tendentiousness of Ṭabarī's understanding of *wa-'tamirū baynakum bi-ma'rūfin* in Q65:6 (see above, note 13) as 'accept from one another, oh people, that right which you command each other (*mā amarakum ba'dukum bihi ba'dan min ma'rūf*)' (Ṭabarī, *Jāmi' al-bayān*, 28:96.4; similarly Ṭūsī, *Tibyān*, 10:37.15; Wāḥidī, *Wajiz*, 1108; Zamakhsharī, *Kashshāf*, 4:559.10; Ṭabrisī, *Jawāmi'*, 2:708.15; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 30:37.10 (quoting Mubarrad (d. 286/900)); Qurṭubī, *Jāmi'*, 18:169.3; Bayḍāwī, *Anwār*, 4:207.26; Khāzin, *Lubāb*, 7:94.19; Abū Ḥayyān, *Baḥr*, 8:285.20; Maybudī, *Kashf*, 10:145.20; Abū 'l-Futūḥ-i Rāzī, *Rawḍ*, 11:188.7; and cf. Rāghib al-Iṣḥāhānī, *Mufradāt*, 1:30a.19). These interpretations of Q5:79 and Q65:6 are neatly brought

Turning to the Sabbath-breakers of Q7:163–6, the exegetes seem to have had no doubts that the reproof of the Sabbath-breakers was an instance of ‘commanding right and forbidding wrong’.⁶⁹ What troubled them was rather an apparent discrepancy of divine accounting.⁷⁰ There appear to be three distinct groups involved in the story: the Sabbath-breakers themselves, those who reproved them, and those who could see no point in such reproof. Yet God specifies only two fates: the reprovers (*alladhīna yanhawna ‘ani ‘l-sū*) were saved, and the evil-doers (*alladhīna ḡalamū*) were damned. What then became of the third group? Were they too among the evil-doers by virtue of their failure to reprove the Sabbath-breakers? Or could deft exegesis extricate them from this fate? We need not examine the responses of the exegetes to this dilemma, except to note that a considerable confusion prevailed. For example, we have discordant traditions from Ibn ‘Abbās (d. 68/687f.) to the effect that the third group were damned, that they were saved, and that he did not know their fate.⁷¹

It will be instructive to end by looking at what the exegetes have to say about some verses which bear (or are seen by them to bear) on the high-risk performance of the duty, and the adverse consequences that are likely to afflict those who engage in it.

In Q31:17 the sage Luqmān is said to have admonished his son as follows: ‘O my son, perform the prayer, and command right and forbid wrong, and bear patiently whatever may befall thee (*wa-‘shbir ‘alā mā aṣābaka*).’ The exegetes have two interpretations of Luqmān’s injunction

Footnote 68 (*cont.*)

together in the wording of a Prophetic tradition which urges on the believers that they mutually command right and forbid wrong: *i’tamirū bi’l-ma’rūf wa-tanāhaw ‘ani ‘l-munkar* (for references, see below, ch. 3, note 40). The phrase *al-i’timār bi’l-ma’rūf wa’l-nahy ‘an al-munkar* occurs in a Syrian tradition (Ibn Ḥanbal, *Musnad*, 3:187.5).

⁶⁹ See, for example, the following commentaries to Q7:164: Zajjāj, *Ma‘ānī*, 2:426.11; Ṭabarī, *Tafsīr*, 13:185.3; Wāḥidī, *Wajīz*, 418, and *Wasīṭ*, 2:420.11; Zamakhsharī, *Kashshāf*, 2:171.18; Ṭabrisī, *Majma‘*, 2:492.7; Ibn Kathīr, *Tafsīr*, 3:239.10.

⁷⁰ For a succinct account, see Zajjāj, *Ma‘ānī*, 2:427.3.

⁷¹ Ṭabarī, *Tafsīr*, 13:194.9 no. 15,278, 187 no. 15,269, 194 no. 15,279. All three are transmitted by ‘Ikrima, the *mawlā* of Ibn ‘Abbās. (In another tradition, Ibn ‘Abbās labels the reprovers the ‘rightists’ (*aymanūn*) and those who saw no point in reproof the ‘leftists’ (*aysarūn*) (*ibid.*, 189.5 no. 15,272; cf. also Qummī (alive in 307/919), *Tafsīr*, ed. T. M. al-Jazā‘irī, Najaf 1386–7, 1:244.20).) Ṭabarī gives no statement of his own view in the text of his commentary as we have it (*Tafsīr*, 13:186–98), though this could be defective (at *ibid.*, 193–8, it is noteworthy that nos. 15,279–82, and still more nos. 15,283–6, do not speak to the rubric at *ibid.*, 193.15). An unusual view quoted at length from Kalbī in an Ibādī source has it that only two groups were involved, namely the sinners and the reprovers, it being the former who address the latter in Q7:164 (Hūd ibn Muḥakkam, *Tafsīr*, 2:54.8, as part of a long citation; Kalbī’s view is cited in a short form in ‘Abd al-Razzāq, *Tafsīr*, 1:239.10, in Ṭabarī, *Tafsīr*, 13:195.5 no. 15,280, in Tūṣī, *Tibyān*, 5:16.17, and elsewhere, while Hūd also knows the usual view that there were three groups: *Tafsīr*, 2:54.16, 55.6).

to fortitude: it may pertain to life's afflictions in general, or it may refer more particularly to unpleasant reactions met with in the course of forbidding wrong. The weight of exegetical opinion inclines strongly to the second. Some commentators mention both,⁷² but the majority refer only to one, and this is always the interpretation linking fortitude to commanding right.⁷³ In a similar vein, there is a variant reading to Q3:104 which adds after 'forbidding wrong' the words 'and they seek God's help against whatever may befall them (*wa-yasta'inūna 'llāha/bi'llāhi 'alā mā aṣābahum*)';⁷⁴ some exegetes are not above drawing the same moral from this textual variant, even while rejecting it.⁷⁵ There are also a couple of verses which, though they make no mention of forbidding wrong, are often interpreted to refer to incurring death in the course of it. One is Q2:207. Here, in a contrast between sincere and insincere adherents of the Prophet (Q2:204–7), the sincere follower is described as one 'who sells himself desiring God's good pleasure (*man yashrī nafsahu 'btighā'a marḍāti 'llāhi*)'.⁷⁶ Among the traditions that are quoted regarding the circumstances in which this verse was revealed, there is one from 'Umar (d. 23/644) according to which it referred to a man who engaged in commanding right

⁷² Bayḍāwī combines them, with emphasis on the second (*Anwār*, 4:31.10). Māwardī, Zamakhsharī, Qurtubī and Abū Ḥayyān mention both without indicating a preference (Māwardī, *Nukat*, 4:338.12; Zamakhsharī, *Kashshaf*, 3:496.13; Qurtubī, *Jāmi'*, 14:68.17; Abū Ḥayyān, *Baḥr*, 7:188.11). Ṭabrisī and Maybudī give precedence to the second (Ṭabrisī, *Majma'*, 4:319.17; Maybudī, *Kashf*, 7:493.19).

⁷³ Muqātil, *Tafsīr*, 3:435.9; Muqātil, *Khams mi'a*, 278.16; Ṭabarī, *Jāmi' al-bayān*, 21:47.12 (and the tradition to the same effect from Ibn Jurayj (d. 150/767), *ibid.*, 47.16); Jaṣṣāṣ, *Abkām*, 2:486.6; Abū 'l-Layth al-Samarqandī, *Tafsīr*, 3:22.23; Ṭūsī, *Tibyān*, 8:279.17; Wāhidī, *Wasīṭ*, 3:444.1; Ṭabrisī, *Jawāmi'*, 2:295.22; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 25:149.11; Ibn Kathīr, *Tafsīr*, 5:385.11; Tha'ālibī, *Jawāhir*, 3:326.16; Suyūṭī, *Durr*, 5:166.20 (from Sa'īd ibn Jubayr); also Sūrābādī (d. 494/1101), *Tafsīr-i Qur'ān-i karīm*, n.p. 1345 sh., 269.15 (for this Karrāmī text, see Lazard, *Langue*, 91–4 no. 29, and J. van Ess, *Ungenutzte Texte zur Karrāmiya*, Heidelberg 1980, 73f.). For an anecdote that assumes this interpretation of the verse, see below, ch. 4, note 190. Cf. also Ibn 'Atīyya, *Muḥarrar*, 3:188.13 (to Q3:104).

⁷⁴ Jeffery, *Materials*, 34 (Ibn Mas'ūd), 227 (Ibn al-Zubayr (d. 73/692)); Ibn Abī Dāwūd (d. 316/929), *Maṣāḥif*, ed. Jeffery in his *Materials*, 39.3 ('Uthmān (d. 35/656)), 82.18 (Ibn al-Zubayr); Ṭabarī, *Tafsīr*, 7:91 no. 7,595 ('Uthmān), 91f. no. 7,596 (Ibn al-Zubayr); anon. (writing 425/1034), *al-Mabānī li-naẓm al-ma'ānī*, in A. Jeffery (ed.), *Two Muqaddimas to the Qur'anic sciences*, Cairo 1954, 102.3 (Ibn al-Zubayr), 102.9 ('Uthmān); Qurtubī, *Jāmi'*, 4:165.16 (Ibn al-Zubayr), 165.20 ('Uthmān); Suyūṭī, *Durr*, 2:62.1 (Ibn al-Zubayr). This reading was among those that earned Ibn Shanabūdh (d. 328/939) a flogging (see Ibn al-Nadīm (d. 380/990), *Fihrist*, Beirut 1978, 48.7, and, for the incident, *IEP*, art. 'Ibn Shanabūdh' (R. Paret)).

⁷⁵ Ibn 'Atīyya, *Muḥarrar*, 3:188.9; Abū Ḥayyān, *Baḥr*, 3:21.6; Tha'ālibī, *Jawāhir*, 1:355.14 (read *yasta'inūna* for *yasta'idhūna*).

⁷⁶ The insincere adherent, by contrast, does not accept reproof (Q2:206); it is thanks to this, no doubt, that Q2:207 has attracted exegesis in terms of forbidding wrong. The relevance of this verse, and Ṭabarī's commentary on it, were drawn to my attention by Etan Kohlberg.

and forbidding wrong, and was killed.⁷⁷ Ṭabarī takes the wider view that the scope of the verse includes both commanding right and holy war.⁷⁸ The other verse is Q3:21, which refers to those who ‘slay those who command justice (*al-qist*)’; this again is taken to refer to death incurred through commanding right and forbidding wrong.⁷⁹ Thus the exegetes display a fairly consistent tendency to enhance the standing of forbidding wrong by relating it to Koranic material which does not require such an interpretation.

As might be expected from all this, the exegetes are much concerned with the apparent negation of the duty in Q5:105: ‘O believers, look after your own souls (*‘alaykum anfusakum*). He who is astray cannot hurt you, if you are rightly guided.’⁸⁰ Their tendency here is in one way or another to minimise the erosion of the duty that this verse might suggest to the unwary Muslim. Thus Ṭabarī presents two main views. The first is that the verse refers to some future time when forbidding wrong will cease to be effective, so that the duty will lapse;⁸¹ in other words, the verse has no application in the present. The second view does not deny the relevance of the verse to our own times, but sees a catch in the clause ‘if you are rightly guided’: those who fail to forbid wrong are *ipso facto* not rightly guided.⁸² Ṭabarī himself opts for the second view.⁸³ Elsewhere we even encounter talk of abrogation within Q5:105.⁸⁴ Overall, the sources abound in vague references to men of straw who misconstrue the verse in a sense antithetical to

⁷⁷ Ṭabarī, *Tafsīr*, 4:250 no. 4,007; Wāḥidī (d. 468/1076), *Asbāb nuzūl al-Qur’ān*, ed. A. Ṣaqr, Cairo 1969, 59.7; Ibn al-‘Arabī, *Aḥkām*, 144.21; Qurtubī, *Jāmi‘*, 3:21.5; Suyūṭī, *Durr*, 1:241.15. The Imāmī exegetes, who cannot bring themselves to quote ‘Umar, allude to other traditions to the same effect from ‘Alī (d. 40/661) and Ibn ‘Abbās (see, for example, Ṭūsī, *Tibyān*, 2:183.19); such traditions are also known to the Sunnis and Zaydis (see, for example, Qurtubī, *Jāmi‘*, 3:21.2, and Māwardī, *Nukat*, 1:267.3; Abū ‘l-Faṭḥ al-Daylamī, *Burhān*, f. 24a.14).

⁷⁸ Ṭabarī, *Tafsīr*, 4:251.1 (but cf. *ibid.*, 250.7); compare the view of Ḥasan (al-Baṣrī) quoted by Ṭūsī (*Tibyān*, 2:183.20). Ṭabrisī seems to take the view that the reference is exclusively to *al-amr bi’l-ma’rūf* (*Majma‘*, 1:301.26). For Ibn al-‘Arabī, the verse tends to support the view that it is good to risk one’s life in forbidding wrong (*Aḥkām*, 145.14).

⁷⁹ Qurtubī sees the verse as a proof of the permissibility of commanding right even when one risks getting killed (*Jāmi‘*, 4:48.19; and cf. Ibn al-‘Arabī, *Aḥkām*, 266.5). Fakhr al-Dīn al-Rāzī quotes from Ḥasan (al-Baṣrī) the view that the verse highly commends performance of the duty in the face of risk (*Tafsīr*, 7:230.13). Ṭūsī likewise quotes a view to the effect that the verse permits commanding right even at the risk of one’s life, but he goes on to refute it (*Tibyān*, 2:422.16; similarly Ṭabrisī, *Majma‘*, 1:423.31).

⁸⁰ For an extended account of the problem, see Ṭabarī, *Tafsīr*, 11:138–53.

⁸¹ *Ibid.*, 138–46 nos. 12,848–63.

⁸² *Ibid.*, 148–51, supported by Ṭabarī with nos. 12,869–78, although only nos. 12,869f. do so explicitly. ⁸³ *Ibid.*, 152.15.

⁸⁴ See Abū ‘Ubayd al-Qāsim ibn Sallām (d. 224/838f.), *al-Nāsikh wa’l-mansūkh*, ed. J. Burton, Cambridge 1987, 98.11; Hibatallāh ibn Salāma (d. 410/1019), *al-Nāsikh wa’l-mansūkh*, Cairo 1960, 42.4; Ibn al-‘Arabī (d. 543/1148), *‘Aṣṣūrat al-aḥwādī bi-sharḥ Ṣaḥīḥ al-Tirmidhī*, Cairo n.d., 9:13.18). Jaṣṣaṣ reports that some consider the verse to abrogate or limit the duty (*Aḥkām*, 2:486.17), and proceeds to refute this view.

forbidding wrong, but it is extremely rare to find an author who actually adopts such a position.⁸⁵

The general conclusion from this account of the activity of the exegetes is that their detailed understanding of the verses and their wider conception of the duty do not have very much to do with each other. As we have seen repeatedly, their reading of scripture tends to be informed by an understanding of forbidding wrong which cannot be derived directly from the verses themselves. They understand the duty primarily as one to be performed by individual believers to each other, and not, say, by the community as a whole towards the world at large; and they see its scope as in the first instance response to specific misdeeds, rather than vague and general ethical affirmation.⁸⁶ This perspective is by and large one that they simply assume; they do not generally expend much energy in forcing it on an unwilling scripture. The overall effect is to insert the duty into the daily life of the community in a far more concrete way than the Koran, read as naked scripture, would seem to require. It is this concrete understanding of forbidding wrong that will be the central concern of this book.

⁸⁵ The verse is invoked to play down the duty by Jāḥiẓ (d. 255/868f.) (*Kitmān al-sirr wa-hifẓ al-lisān*, in 'A. M. Hārūn (ed.), *Rasā'il al-Jāḥiẓ*, Cairo 1964–79, 1:163.6), and again by Ibn 'Abd al-Barr, (d. 463/1071) (*Tamhīd*, ed. M. A. al-'Alawī *et al.*, Rabat etc. 1967–, 16:161.12; Ibn 'Abd al-Barr, *Istidhḳār*, Damascus and Beirut 1993, 6:363f. nos. 9,388, 9,393). I owe these references to Larry Conrad, Etan Kohlberg and Maribel Fierro respectively.

⁸⁶ The narrow view of the scope of forbidding wrong discussed above, 22–4, is an interesting exception; but as we have seen, as a theory of the duty it was stillborn.

CHAPTER 3

TRADITION

1. THE ‘THREE MODES’ TRADITION

There are numerous Prophetic and other traditions on the subject of forbidding wrong,¹ several of them well known; but one, a Kūfan tradition, is far more prominent in our sources than any of the others. For reasons that will appear, I shall call it the ‘three modes’ tradition. It is encountered in two main forms. Either the Prophetic core of the tradition occurs on its own, or it is found within the framework of an anecdote relating to a later period. We can best begin with the anecdote.²

¹ This abundance is explicitly noted by some Koranic exegetes (Qurtubī, *Jāmiʿ*, 4:48.6 (to Q3:21, quoting Ibn ʿAbd al-Barr (d. 463/1071)); Ibn Kathīr, *Tafsīr*, 2:87.2 (to Q3:104); *ibid.*, 619.28 (to Q5:79)).

² Abū Dāwūd al-Ṭayālīsī (d. 204/819), *Musnad*, Hyderabad 1321, 292 no. 2,196 (whence Jaṣṣāṣ, *Aḥkām*, 2:30.7); ʿAbd al-Razzāq ibn Hammām al-Ṣanʿānī (d. 211/827), *Muṣannaf*, ed. Ḥ. al-Aʿzamī, Beirut 1970–2, 3:285 no. 5,649; Ibn Abī Shayba (d. 235/849), *Muṣannaf*, ed. K. Y. al-Ḥūt, Beirut 1989, 1:492f. nos. 5,686f. (both lacking the Prophetic tradition); Ibn Ḥanbal, *Musnad*, 3:10.12, 20.8, 49.10, 52.29, 54.23, 92.22; ʿAbd ibn Ḥumayd (d. 249/863f.), *Musnad*, in the *Muntakhab* of his pupil Ibrāhīm ibn Khuzaym al-Shāshī, ed. Ṣ. al-Badrī al-Sāmarrāʾī and M. M. K. al-Ṣaʿīdī, Beirut 1988, 284 no. 906; Muslim ibn al-Ḥajjāj (d. 261/875), *Ṣaḥīḥ*, ed. M. F. ʿAbd al-Bāqī, Cairo 1955–6, 69 no. 49; Ibn Māja, *Sunan*, 406 no. 1275, 1330 no. 4,013; Abū Dāwūd, *Sunan*, 1:677f. no. 1140; Tirmidhī, *Ṣaḥīḥ*, 6:337 no. 2,173; Ibn Abī ʿl-Dunyā, *Amr*, 115 no. 78; Ibn Hibbān (d. 354/965), *Ṣaḥīḥ*, in the arrangement of ʿAlāʾ al-Dīn al-Fārisī (d. 739/1339), ed. ʿA. M. ʿUthmān, Medina 1970–, 1:311f. nos. 301f.; Bayhaqī, *Shuʿab*, 6:85f. no. 7,559; and cf. Ibn al-Athīr, *Jāmiʿ*, 1:324f. no. 107 (without *isnād*). The tradition is partly paraphrased and partly translated in Wensinck, *The Muslim creed*, 106f. The *isnāds* of these versions (together with those referred to below, note 6) point strongly to a Kūfan provenance for the tradition. One group of *isnāds*, characterised by the presence of Ismāʿīl ibn Rajāʾ al-Zubaydī (fl. first half of the second/eighth century), remains solidly Kūfan into the late second/eighth century (see, for example, Ibn Ḥanbal, *Musnad*, 3:52.29). The other, marked by the presence of Qays ibn Muslim al-Jadalī (d. 120/737f.), is mainly Kūfan into the mid-second/eighth century (of four transmitters of this vintage, the only non-Kūfan is the Baṣran Shuʿba ibn al-Ḥajjāj (d. 160/776)); thereafter non-Kūfan transmitters (all Iraqi, and mostly Baṣran) become more prominent (see, for example, *ibid.*, 3:54.23; Abū Dāwūd al-Ṭayālīsī, *Musnad*, 292 no. 2,196; Ibn Abī ʿl-Dunyā’s *isnād* is defective).

The scene is set on a feast-day in Medina during the governorship of the future Umayyad caliph Marwān ibn al-Ḥakam (r. 64–5/684–5).³ Marwān, presiding over the congregation in his role of governor, commits two ritual improprieties: he brings out the pulpit (*minbar*) on a feast-day, and he begins with the sermon (*khutba*) before the prayer (*ṣalāt*).⁴ A man then arises and rebukes him: ‘Marwān, you’ve gone against the proper custom (*sunna*)! You’ve brought out the pulpit on a feast-day, when it used not to be, and you’ve started with the sermon before the prayer!’ At this point the Companion Abū Saʿīd al-Khudrī (d. 74/693) intervenes: he inquires the identity of the author of the rebuke, and pronounces that the man has done his duty. Here, then, we have a concrete example of the practice of rebuke within the community. Somebody had done something wrong – something quite specific – and someone else thereupon took it upon himself to upbraid him for it.

The Prophetic tradition that Abū Saʿīd then proceeds to relate provides a succinct theory of this practice. ‘Whoever sees a wrong (*munkar*)’, says the Prophet, ‘and is able to put it right with his hand (*an yughayyirahu bi-yadihi*), let him do so; if he can’t, then with his tongue (*bi-lisānihi*); if he can’t, then with [or in] his heart (*bi-qalbihi*),⁵ which is the bare minimum of faith.’⁶ This tradition is referred to, quoted and commented upon with great frequency in subsequent literature.⁷ It owes this distinction to the fact

³ That Marwān is governor in Medina, not caliph in Syria, is clear from the presence of the Companion Abū Saʿīd al-Khudrī (d. 74/693), and explicit in a related tradition (Bukhārī (d. 256/870), *Ṣaḥīḥ*, ed. L. Krehl, Leiden 1862–1908, 1:244.2; Bayhaqī, *Sunan*, 3:280.9). Marwān was twice governor of Medina, once in the 40s/660s and once in the 50s/670s (see *EP*², art. ‘Marwān I’, 621b (C. E. Bosworth)).

⁴ For the ritual issues, see *EP*², art. ‘Khutba’ (A. J. Wensinck). The details of Marwān’s innovations vary slightly in some versions; in these and other particulars, I follow Abū Dāwūd’s version.

⁵ The problematic character of the idea of putting something right with (or in) the heart was clearly seen by Nawawī (d. 676/1277) in his commentaries on the tradition (see his *Sharḥ Ṣaḥīḥ Muslim*, Beirut 1987, 1:384.25, and his commentary on his own selection of forty traditions published as *Sharḥ matn al-Arbaʿīn al-Nawawīyya*, Damascus 1966, 92.7).

⁶ For versions of the tradition that include the frame-story, see above, note 2 (but note that Ibn Abī ʿl-Dunyā’s version is defective). For versions in which the Prophetic tradition appears on its own, see Abū Dāwūd, *Sunan*, 4:511 no. 4,340 (whence Jaṣṣāṣ, *Aḥkām*, 2:486.12); Ibn Abī ʿl-Dunyā, *Amr*, 51 no. 10; Nasāʾī, *Sunan*, 8:111.6, 112.3; Bayhaqī, *Sunan*, 6:95.1, 10:90.13; and, for versions without *isnāds*, Muttaqī, *Kanz*, 3:68 no. 5,524, 75 no. 5,556; Muḥammad ibn ʿAbd al-Wahhāb (d. 1206/1792), *Naṣīḥat al-muslimīn bi-ahādīth khātam al-mursalīn*, Cairo n.d., 65.2. Later writers felt free to omit the frame-story. Thus an unframed version quoted by Jaṣṣāṣ (*Aḥkām*, 2:30.14) derives from Abū Dāwūd’s framed version (for which see above, note 2); and Nawawī, in adopting the tradition from Muslim for his selection of forty traditions (see the following note), likewise left the frame-story aside. For the hierarchy of hand, tongue and heart, compare, for example, Muslim, *Ṣaḥīḥ*, 70.5 no. 50.

⁷ See, for example, below, ch. 5, note 76; ch. 6, note 125; ch. 7, note 60; ch. 8, 173, and notes 32, 101. The tradition also owes some of its celebrity to Nawawī’s inclusion of it

that it provided later generations with a fundamental building-block for their scholastic doctrines of forbidding wrong. Whereas the Koranic diction of ‘commanding’ and ‘forbidding’ suggests a purely verbal duty, this Prophetic tradition spells out a hierarchy of modes of response to wrong: deed, word and thought.

There is, however, one thing about this tradition that is unsettling. At no point does the Prophet – or anyone else – refer explicitly to ‘commanding right’ or ‘forbidding wrong’. What the diction of the tradition and the Koran have in common is the term ‘wrong’ (*munkar*). Yet in speaking of what is to be done about the wrong, our tradition uses a term of its own, namely to ‘put right’ (*ghayyara*).⁸ The literal meaning of this verb is to ‘change’, whether for better or for worse.⁹ But in the usage that doubtless lies behind that of the tradition, it seems rather to have the sense of putting things to rights in the context of a personal injury.¹⁰ The upshot is that

Footnote 7 (*cont.*)

in his popular selection of forty traditions (published as *Matn al-Arbaʿin al-Nawawiyya*, Beirut 1977, 76 no. 34 (from Muslim)), whence its discussion in the numerous commentaries on this little work, starting with his own (*Sharḥ matn al-Arbaʿin*, 91f. no. 34; Ibn Daqīq al-ʿId (d. 702/1302), *Sharḥ al-Arbaʿin ḥadīthan al-Nawawiyya*, Cairo n.d., 55–7 no. 34; Taftazānī (d. 793/1390), *Sharḥ ḥadīth al-Arbaʿin al-Nawawī* (sic), Istanbul 1316, 105 no. 34; Ibn Rajab (d. 795/1393), *Jāmiʿ al-ʿulūm waʾl-ḥikam*, Beirut 1987, 346–52 no. 34; Ibn Ḥajar al-Haytamī (d. 974/1567), *Fath al-mubīn li-sharḥ al-Arbaʿin*, Cairo 1352, 244–8 no. 34; ʿAlī al-Qārī (d. 1014/1606), *al-Mubīn al-muʿīn li-fahm al-Arbaʿin*, Cairo 1910, 188–94 no. 34; Ismāʿīl Ḥaqqī Brūsevī (d. 1137/1725), *Sharḥ al-Arbaʿin ḥadīthan* (in Turkish), Istanbul 1253, 336–41 no. 34; and many others).

⁸ A few versions of the tradition use *ankara* in place of *ghayyara* (Abū Dāwūd al-Ṭayālīsī, *Musnad*, 292 no. 2, 196; Ibn Ḥanbal, *Musnad*, 3:92.22; Tirmidhī, *Ṣaḥīḥ*, 6:337 no. 2, 173; Bayhaqī, *Shuʿab*, 6:85f. no. 7, 559); the distribution of this variant does not correlate with the lines of transmission. The verb *ghayyara* appears frequently in other traditions (see, for example, below, notes 16, 18, 54, 60).

⁹ The Koran uses *ghayyara* only where the change is for the worse (see Q4:119, Q8:53, Q13:11, and cf. Q47:15). The lexicographers, however, report usages referring to the easing or repairing (the verb employed is *aṣlahā*) of camel-saddles, where the change is clearly for the better, and they illustrate these usages from poetry (E. W. Lane, *An Arabic-English lexicon*, London 1863–93, 2, 315a; Azharī (d. 370/980), *Tahdhīb al-lughah*, ed. ʿA. M. Hārūn et al., Cairo 1964–7, 8:189b.16, 190a.1; Ibn Manẓūr, *Lisān*, 5:40a.26, 40b.3, 42b.1; Murtaḍā al-Zabīdī (d. 1205/1791), *Tāj al-ʿarūs*, ed. ʿA. A. Farrāj et al., Kuwait 1965–, 13:289.13, 289.18).

¹⁰ Note, for example, the verse of the pre-Islamic Ṭāʾī poet Qays ibn Jurwa (for whom see W. Caskel, *Ḡamharat an-nasab: Das genealogische Werk des Ḥisām ibn Muḥammad al-Kalbī*, Leiden 1966, index, s.n.) in which he makes a dire threat should his enemy not put right some of what his tribe have done: *la-in lam tughayyir baʿḍa mā qad faʿaltum* (apud A. A. Bevan (ed.), *The Nakāʾid of Jarīr and al-Farazdaq*, Leiden 1905–12, 1082.13, appendix XI; and see Abū Zayd al-Anṣārī (d. 215/830f.), *al-Nawādir fī ʾl-lughah*, ed. M. ʿA. Aḥmad, Beirut and Cairo 1981, 266.6; Ḥātim al-Ṭāʾī, *Diwān*, ed. ʿA. S. Jamāl, Cairo n.d., 170 no. 16, line 4; Mubarrad (d. 286/900), *Kāmil*, ed. W. Wright, Leipzig 1864–92, 564.8; I owe these references to the Concordance of Pre-Islamic and Umayyad Poetry of the Hebrew University of Jerusalem). When ʿAbdallāh ibn Ubayy interceded for the Jewish Banū Qaynuqāʾ in the events leading to their expulsion in the year 2/624, he was slightly wounded in the face; his Jewish confederates then protested that they would

without the unthinking unanimity of the scholastic tradition, we would not know for sure that the Prophet and Abū Saʿīd were talking about ‘forbidding wrong’.¹¹

2. OTHER TRADITIONS OF POSITIVE TENDENCY

We can deal more briefly with the rest of the traditions on forbidding wrong transmitted from the Prophet, since these have much less to offer in doctrinal terms.

The largest group consists, predictably, of sayings which in one way or another exhort believers to perform the duty. A widely quoted example is a further Kūfan tradition with a structure similar to the ‘three modes’ tradition.¹² In the frame-story, the caliph Abū Bakr (r. 11–13/632–4) quotes Q5:105, with its suggestion that the righteous believer need not concern himself with the misdeeds of others;¹³ implicitly or explicitly, he tells the community that this is a misinterpretation. He makes his point by quoting a saying of the Prophet (although there are other versions in which it is ascribed to Abū Bakr himself).¹⁴ This saying threatens people with collec-

not reside in a place where their protector had suffered this injury without their being able to put things right (*lā naqdir an nughayyirahu, la nastaṭī labu ghiyaran*, Wāqidi, *Maḡhāzī*, 178.10). The crucified Māhān al-Ḥanafī (d. 83/701f.) rebukes ‘Ammār al-Duhnī (d. 133/750f.) for watching the scene and doing nothing about it (*wa-lā tughayyir*, Fasawī, *Maʿrifā*, 2:615.4).

¹¹ Compare the cases of Q5:79 and Q7:165 (see above, ch. 2, 15–17, for the verses themselves, and 26–8 for their exegesis).

¹² This tradition has pride of place in Ibn Ḥanbal (d. 241/855), *Musnad*, ed. A. M. Shākir, Cairo 1949–58, 1:153 no. 1; also 163 no. 16, 168f. nos. 29f., 176 no. 53; Abū ‘Ubayd, *Nāsikh*, 99.21; Ibn Abī Shayba, *Muṣannaḡ*, 7:504f. no. 37,583; Ibn Māja, *Sunan*, 1327 no. 4,005; Abū Dāwūd, *Sunan*, 4:509f. no. 4,338 (whence Jaṣṣās, *Aḥkām*, 2:31.6); Tirmidhī, *Ṣaḥīḥ*, 6:335f. no. 2,169, 8:221 no. 3,059; Ibn Abī ‘l-Dunyā, *Amr*, 37 no. 1; Abū Yūsuf, *Kharāj*, 10.18; Ḥumaydī, *Musnad*, 3f. no. 3; Abū Bakr al-Marwazī (d. 292/905), *Musnad Abī Bakr al-Ṣiddīq*, ed. S. al-Arnāʾūt, Beirut n.d., 154–6 no. 86; Ṭabarī, *Tafsīr*, 11:150f. nos. 12,876, 12,878 (to Q5:105); Ibn Hibbān, *Ṣaḥīḥ*, in the arrangement of Fārisī, 1:310f. no. 300; Jaṣṣās, *Aḥkām*, 2:486.25; Bayhaqī, *Sunan*, 10:91.21; Bayhaqī, *Shuʿab*, 6:82 no. 7,550 (where the text is corrupt, cf. Abū Dāwūd’s version); for versions without *isnāds*, see Ibn al-Athīr, *Jāmiʿ*, 1:330f. no. 111; Ibn ‘Abd al-Wahhāb, *Naṣiḥa*, 65.22. The common link of most of these versions is the Kūfan Ismāʿīl ibn Abī Khālīd (d. 145/762f.); the transmitters from Ismāʿīl are a mixture of Kūfans and others from lower Iraq. That the provenance of the tradition is Kūfan finds confirmation in the *isnāds* of the non-Prophetic versions cited below, note 14. At the same time, two brief traditions adduced by Ṭabarī to the same effect have Kūfan *isnāds* (*Tafsīr*, 11:148 nos. 12,869f.; in the first, the authority quoted is the Medinese Saʿīd ibn al-Musayyab (d. 94/712f.), while in the second, it is the Kūfan Companion Ḥudhayfā ibn al-Yamān (d. 36/656f.). There is also a parallel in a letter of ‘Umar ibn ‘Abd al-‘Azīz (r. 99–101/717–20) in which he makes no mention of Abū Bakr or any other early authority (‘Abdallāh ibn ‘Abd al-Hakam (d. 214/829), *Sirat ‘Umar ibn ‘Abd al-‘Azīz*, ed. A. ‘Ubayd, Damascus 1964, 162.11).

¹³ See above, ch. 2, note 80.

¹⁴ These other versions are to be found in Ṭabarī, *Tafsīr*, 11:148–51 (nos. 12,871f., 12,874f.,

tive punishment from on high if they do not take action to right wrongs – according to one version, if they see a wrongdoer (*ẓālim*) and do not restrain him;¹⁵ according to another, which more directly concerns us, if they see a wrong (*munkar*) and fail to put it right (*ghayyara*).¹⁶ Thus the same disparity appears here between the wording of the tradition and the Koranic terminology of commanding and forbidding.¹⁷ This time, as it happens, neither version of the saying of the Prophet seems to appear independently of the frame-story, though a somewhat similar saying is transmitted by another Companion.¹⁸

Another much-quoted example of such exhortatory traditions urges the believers to perform the duty (usually with the wording *la-ta'murunna bi'l-ma'rūf wa-la-tanhawunna 'an al-munkar*) or be visited with unpleasant consequences.¹⁹ Just what these consequences will be varies in the different

Footnote 14 (*cont.*)

12,877); cf. also Ibn Ḥanbal, *Musnad*, 1:168 no. 29, and Tirmidhī's comments to both his versions. The common link of all but one of Ṭabarī's versions is the Kūfan Qays ibn Abī Ḥāzim (d. 97/715f.). (He in turn is the transmitter from whom Ismā'īl ibn Abī Khālid relates most of the Prophetic versions cited above, note 12.) The *isnāds* remain predominantly Kūfan into the later second/eighth century.

¹⁵ So, for example, Tirmidhī's versions.

¹⁶ So, for example, the versions of Ibn Māja and Abū Yūsuf; cf. also Muttaqī, *Kanz*, 3:67 no. 5,517, and 83 no. 5,595, both lacking the frame-story. It should be noted that none of the non-Prophetic versions is of this type. Another variant (Ibn Ḥanbal, *Musnad*, 1:176 no. 53) uses *ankara* in place of *ghayyara*.

¹⁷ By contrast, in two of the non-Prophetic versions quoted by Ṭabarī (see above, note 14), Abū Bakr enjoins: 'By God, you will command right and forbid wrong . . .' (nos. 12,874, 12,877).

¹⁸ See, for example, Abū Dāwūd al-Ṭayālīsī, *Musnad*, 92 no. 663; 'Abd al-Razzāq, *Muṣannaf*, 11:348 no. 20,723; Ibn Ḥanbal, *Musnad*, 4:361.4, 363.8, 364.15, 366.4; Ibn Māja, *Sunan*, 1329 no. 4,009; Abū Dāwūd, *Sunan*, 4:510f. no. 4,339; Ibn Abī 'l-Dunyā, *Amr*, 47 no. 6; Ibn Ḥibbān, *Ṣaḥīḥ*, in the arrangement of Fārisī, 1:308f. nos. 296, 298; Bayhaqī, *Sunan*, 10:91.31. All versions use the term *ghayyara*; some (as that of Abū Dāwūd al-Ṭayālīsī) speak of collective punishment. The Companion who transmits the tradition is the Kūfan Jarīr ibn 'Abdallāh al-Bajāli (d. 51/671f.); the common link of the *isnāds* is the Kūfan Abū Ishāq al-Sabī'ī (d. 127/744f.), and subsequent transmitters are mostly Kūfans or Baṣrans. Compare also Haythamī, *Zawā'id*, 7:269.13, and Muttaqī, *Kanz*, 3:85 no. 5,601 (from the Syrian Companion Abū Umāma al-Bāhilī (d. 86/705)).

¹⁹ Abū 'Ubayd, *Nāsikh*, 100.14; Ibn Ḥanbal, *Musnad*, 5:388.28, 390.1, 391.18; Tirmidhī, *Ṣaḥīḥ*, 6:336 no. 2,170; Ibn Abī Shayba, *Muṣannaf*, 7:460 no. 37,221; Ibn Abī 'l-Dunyā, *Amr*, 54 no. 12; Jaṣṣāṣ, *Abkām*, 2:488.32; Bayhaqī, *Sunan*, 10:93.22; Bayhaqī, *Shu'ab*, 6:84 no. 7,558; and for versions without *isnāds*, see Ibn al-Athīr, *Jāmi'*, 1:332 no. 113; Muttaqī, *Kanz*, 3:70 no. 5,529, 76 no. 5,562; Ibn 'Abd al-Wahhāb, *Naṣīḥa*, 65.16. All these versions are transmitted by the Companion Ḥudhayfa (except that in Ibn Abī 'l-Dunyā's version, the saying appears as Ḥudhayfa's own); the *isnāds*, where given, are Medinese or Kūfan. Other versions are transmitted by 'Ā'isha (d. 58/678) (Ibn Ḥanbal, *Musnad*, 6:159.3; Ibn Māja, *Sunan*, 1327 no. 4,004; Ibn Abī 'l-Dunyā, *Amr*, 48 no. 7; Bayhaqī, *Sunan*, 10:93.26), 'Alī (d. 40/661) (Ibn Abī Shayba, *Muṣannaf*, 7:504 no. 37,576), Ḥasan ibn 'Alī (d. 49/669f.) (Nu'aym ibn Hammād (d. 228/843), *Fitan*, ed. S. Zakkār, Mecca n.d., 141.22, whence Muttaqī, *Kanz*, 3:77 no. 5,563), Abū Bakr (see the references given above, note 17), and others (see, for example, Ibn Abī 'l-Dunyā, *Amr*, 49

versions of the tradition. One formulation is that God will bestow power on the worst of them and then ignore the prayers of the best of them;²⁰ a more colourful one is that He will send the Persians (*ʿAjam*) against them to smite their necks and eat their spoils (*ḡayy*).²¹ This tradition, or at least its opening injunction, can also appear as a component of more complex traditions.²² Unlike the other traditions we have considered so far, the injunction is also at home among the Shīʿites, who transmit it from their own authorities.²³

It would be unprofitable to attempt to cover all traditions that in one way or another make favourable reference to forbidding wrong. What follows should give a fair idea of the character of the remaining material in this category.

no. 8; Haythamī, *Zawāʿid*, 7:266.15, 266.19). Overall, the *isnāds* are Medinese or Kūfan. For Zaydī versions, see below, ch. 10, note 9.

²⁰ So Ibn Ḥanbal, *Musnad*, 5:390.1.

²¹ So Nuʿaym ibn Ḥammād's version. The Zaydī ʿAbdallāh ibn al-Ḥusayn ibn al-Qāsim (fl. later third/ninth century), brother of the imam al-Ḥādī ilā ʿl-Ḥaqq (d. 298/911), quotes a version (without *isnād*) in which the threat runs: 'or you will assuredly turn into miserable peasants' (*aw la-takūnunna ashqiyā zarrāʾin*) (*al-Nāsikh wa'l-mansūkh*, ms. Berlin, Glaser 128, f. 45b.7; for this manuscript, see W. Ahlwardt, *Verzeichniss der arabischen Handschriften der Königlichen Bibliothek zu Berlin*, Berlin 1887–99, 9:574 no. 10,226). For the reference to miserable peasants, compare the activist tradition quoted in Abū Bakr al-Khallāl (d. 311/923), *al-Musnad min masāʾil Abī ʿAbdillāh Aḥmad ibn Muḥammad ibn Ḥanbal*, ed. Z. Ahmed, Dacca 1975, 18.18.

²² For one case see above, note 17. In another case the initial injunction appears in some versions of a Kūfan tradition describing the misdeeds of the Israelites, in particular their habit of socialising with offenders whom they had previously rebuked, a practice which led to their being cursed in the manner described in Q5:78–81 (Abū Dāwūd, *Sunan*, 4:508f. no. 4,336; Ibn Abī ʿl-Dunyā, *Amr*, 45 no. 4; Muḥammad ibn Waḍḍāḥ (d. 287/900), *Kitāb al-bidaʿ*, ed. and trans. M. I. Fierro, Madrid 1988, 230 = 359f. no. 58; Ṭabarī, *Tafsīr*, 10:491 no. 12,306; Bayhaqī, *Sunan*, 10:93.5; Bayhaqī, *Shuʿab*, 6:80 no. 7,545; and for versions without *isnāds*, see Ibn al-Athīr, *Jāmiʿ*, 1:327–9 no. 109; Haythamī, *Zawāʿid*, 7:269.17; Muttaqī, *Kanz*, 3:69 no. 5,527, 79 no. 5,573). This tradition is more widely attested without the injunction (see for example Ibn Ḥanbal, *Musnad*, 5:268 no. 3,713; Ibn Māja, *Sunan*, 1327f. no. 4,006; Tirmidhī, *Ṣaḥīḥ*, 8:215f. nos. 3,050f.; Ibn Waḍḍāḥ, *Bidaʿ*, 229 = 359 no. 57; Ṭabarī, *Tafsīr*, 10:492–4 nos. 12,307–9, 12,311; Bayhaqī, *Shuʿab*, 6:79f. no. 7,544); it is generally transmitted by the Kūfan Companion Ibn Masʿūd (d. 32/652f.).

²³ For the Imāmīs, see Kulaynī, *Kāfī*, 5:56 no. 3, and Ṭūsī, *Tahdhīb*, 6:176 no. 1. The tradition is here a saying of Abū ʿl-Ḥasan, who is presumably ʿAlī al-Riḍā (d. 203/818). (The transmitter is listed among the latter's companions, see Ṭūsī (d. 460/1067), *Rijāl*, ed. M. Ṣ. Āl Baḥr al-ʿUlūm, Najaf 1961, 388.2, and cf. the editor's footnote thereto; cf. also the *isnād* of Kulaynī, *Kāfī*, 5:59 no. 13, and Ṭūsī, *Tahdhīb*, 6:177 no. 7.) For the Zaydīs, see Zayd ibn ʿAlī (d. 122/740) (attrib.), *Majmūʿ al-ḡibḡ*, ed. E. Griffini, Milan 1919, 294 no. 995 (where the saying is ascribed to ʿAlī); Abū Ṭālib al-Nāṭiq (d. 424/1032f.), *Amālī* (in the recension of Jaʿfar ibn Muḥammad ibn ʿAbd al-Salām (d. 573/1177f.), *Taysīr al-maṭālib fī Amālī al-imām Abī Ṭālib*), ed. Y. ʿA. al-Faḍīl, Beirut 1975, 293.15 (from the Prophet). In this chapter, I make reference to Shīʿite traditions only to indicate parallels to Sunnī traditions; I cite Imāmī parallels only from Kulaynī's *Kāfī* and Ṭūsī's *Tahdhīb*, and leave aside versions found in Zaydī sources with mainstream Sunnī *isnāds*.

The high standing of the duty in Islam is emphasised. Commanding right and forbidding wrong are two religious obligations (*farīdatān*) which God has inscribed in His book;²⁴ they are two of the shares that, taken together, make up Islam.²⁵ The most pious (*atqā 'l-nās*) are those most zealous in performing the duty (*āmaruhum bi'l-ma'rūf*) and most loyal to their kinsfolk;²⁶ he who commands right and forbids wrong is God's deputy on earth (*khalīfat Allāh fī 'l-arḍ*), and the deputy of His book and of His Prophet.²⁷ Conversely, 'a dead man among the living' is explained as one who fails to perform the duty;²⁸ one who abandons it is no believer.²⁹

At the same time an activist tone is often in evidence. The Prophet tells his followers that victory and conquest lie ahead; if they live to see them, they should fear God, command right and forbid wrong.³⁰ The duty may be explicitly linked to holy war. According to one saying of 'Alī (d. 40/661), the finest form of holy war is commanding right;³¹ another of his sayings has it that the duty comprises two of the four parts of holy war.³² As

²⁴ So Ḍaḥḥāk ibn Muzāḥim (d. 105/723f.) (Abū 'Ubayd, *Nāsikh*, 101.4; Jaṣṣāṣ, *Aḥkām*, 2:489.5; the transmitter from Ḍaḥḥāk is Kūfan).

²⁵ So 'Umar (d. 23/644) (Abū 'Ubayd, *Nāsikh*, 100.29; Jaṣṣāṣ, *Aḥkām*, 2:489.2; the *isnād* is Baṣran or Kūfan). Cf. also the saying of Ḥudhayfā referred to below, ch. 5, note 173.

²⁶ So the Prophet (Ibn Abī Shayba, *Muṣannaf*, 7:504 no. 37,580; Ibn Ḥanbal, *Musnad*, 6:432.4; Ibn Abī 'l-Dunyā, *Amr*, 65 no. 21; Haythamī, *Zawā'id*, 7:263.17). The *isnād* is Kūfan.

²⁷ P. Crone and M. Hinds, *God's caliph*, Cambridge 1986, 98, citing Nu'aym ibn Ḥammād, *Fitan*, 57.10 (from anonymous authorities); also Ibn 'Adī (d. 365/976), *Kāmil*, Beirut 1984, 2,104.5; Shīrawayḥ ibn Shahrādār al-Daylamī (d. 509/1115), *al-Firdaws bi-ma'thūr al-khiṭāb*, Beirut 1986, 3:586 no. 5,834, whence Muttaqī, *Kanz*, 3:77 no. 5,564; Najm al-Dīn al-Nasafī (d. 537/1142), *al-Qand fī dbikr 'ulamā'* Samarqand, ed. N. M. al-Fāryābī, Saudi Arabia 1991, 233.18; 'Abd al-Ghanī al-Maqdisī (d. 600/1203), *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, ed. S. A. al-Zuhayrī, Riyāḍ 1995, 42 no. 53, 56 no. 80. Apart from Nu'aym's version, all are from the Prophet. The provenance seems to be Syrian or Egyptian. For a Zaydī version, see below, ch. 10, note 43.

²⁸ So Ḥudhayfā (Bayhaqī, *Shu'ab*, 6:96 no. 7,590; contrast the version given with the same Kūfan *isnād* in Ibn Abī Shayba, *Muṣannaf*, 7:504 no. 37,577, where it is all a matter of the heart). The Imāmīs transmit a similar saying from 'Alī (Tūsī, *Tahdhīb*, 6:181 no. 23).

²⁹ Ibn al-Jawzī (d. 597/1201), *al-'Ilal al-mutanāhiya*, Beirut 1983, 791f. no. 1,322; Muttaqī, *Kanz*, 3:67 no. 5,516 (Kūfan?). Ibn al-Jawzī is citing this Prophetic tradition to condemn it as inauthentic.

³⁰ Ibn Ḥanbal, *Musnad*, 5:257 no. 3,694, 305f. no. 3,801; 6:96 no. 4,156; Tirmidhī, *Ṣaḥīḥ*, 7:37 no. 2,258; Bayhaqī, *Sunan*, 10:94.19; Bayhaqī, *Shu'ab*, 6:84 no. 7,557; Ibn al-Athīr, *Jāmi'*, 1:332 no. 114. The tradition is Kūfan.

³¹ Zamakhsharī, *Kashshāf*, 1:397.6; Maybudī, *Kashf*, 2:234.6; Abū 'l-Futūḥ-i Rāzī, *Rawḍ*, 3:142.6; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:179.13; Abū 'l-Barakāt al-Nasafī, *Madārik*, 1:240 no. 3; Nizām al-Dīn al-Naysābūrī, *Gharā'ib*, 4:29.24; Abū 'l-Su'ūd, *Irshād*, 1:529.20; Aṭṭayyish, *Himyan*, 4:204.3 (all to Q3:104). I have not seen this saying outside the literature of *tafsīr*, where it is quoted without *isnāds*.

³² 'Abd al-Ghanī al-Maqdisī, *Amr*, 51 no. 68; Muttaqī, *Kanz*, 3:66 no. 5,513. Cf. also Ṭabarī, *Tafsīr*, 7:91.3 (to Q3:104); Haythamī, *Zawā'id*, 7:275.22; and, for the Zaydīs, Zayd ibn 'Alī, *Majmū'*, 235f. no. 851, 273 no. 942.

we have seen, the Prophet declares that the finest form of holy war is speaking out in the presence of an unjust ruler³³ – and, in some versions, being killed for it.³⁴ He likewise urges that respect of persons – or more precisely, fear of them (*haybat al-nās*) – should not inhibit anyone from taking action when he sees something wrong.³⁵ No community, he warns, can be deemed holy which fails to secure the rights of the weak against the strong.³⁶

3. TRADITIONS OF NEGATIVE TENDENCY

Against the considerable body of traditions that urge the performance of the duty there is a smaller number that tend to downplay it. These, of course, are more interesting, since they go against the rhetorical grain. We can best approach them through the eschatology of forbidding wrong. At first sight this might seem a strange place to look. Traditions linking forbidding wrong to eschatology are nevertheless quite common – sufficiently so to account for the choice made by the compilers of three of the classical collections and one major pre-classical collection to place their traditions on forbidding wrong among those concerned with eschatology.³⁷

What concerns us in these traditions is the bad times that lie ahead, not the good ones. As might be expected, those will not be propitious times

³³ See above, ch. 1, note 18, and cf. also Haythamī, *Zawā'id*, 7:265.15.

³⁴ See above, ch. 1, notes 18–20.

³⁵ Ibn 'Abd al-Wahhāb, *Naṣīḥa*, 66.19; and cf. Ibn Ḥanbal, *Musnad*, 3:5.29, 19.15, 53.13, 71.14; Ibn Māja, *Sunan*, 1328 no. 4,007; Tirmidhī, *Ṣaḥīḥ*, 6:351 no. 2,192 (all versions with Baṣran *isnāds*). The transmitter, Abū Sa'īd al-Khudrī, laments that the opposite has been the case.

³⁶ Ibn Māja, *Sunan*, 810 no. 2,426, 1329 no. 4,010; Ibn Waḍḍāḥ, *Bida'*, 234 = 365 no. 81; Bayhaqī, *Sunan*, 6:95.8, 10:93.30, 94.7, 94.9, and cf. 94.1; Bayhaqī, *Shu'ab*, 6:81f. no. 7,549; Muttaqī, *Kanz*, 3:74 nos. 5,544–9. The tradition does not refer explicitly to *al-amr bi'l-ma'rūf*, but, as these references show, it is associated with it by the collectors. The *isnāds* are Meccan, Kūfan or mixed. The tradition is also current among the Shī'ites. Imāmī sources sometimes ascribe it to Ja'far al-Ṣādiq (d. 148/765) (Kulaynī, *Kāfī*, 5:56 no. 2; Ṭūsī, *Tahdhīb*, 6:180 no. 20). The Zaydīs know a variant form (with explicit mention of *al-amr bi'l-ma'rūf*) as a Prophetic tradition (Zayd ibn 'Alī, *Majmū'*, 294 no. 996).

³⁷ Thus Abū Dāwūd's *bāb al-amr wa'l-nahy* (*Sunan*, 4:508–15 nos. 4,336–47) falls in his *kitāb al-malāḥim*; the relevant chapters of Tirmidhī (*Ṣaḥīḥ*, 6:335–9 nos. 2,169–75) are to be found in his *kitāb al-ḥudūd*, as are those of Ibn Māja (*Sunan*, 1327–32 nos. 4,004–17). Ibn Abī Shayba devotes no chapter to *al-amr bi'l-ma'rūf*, but includes a series of traditions about it in his *kitāb al-ḥudūd* (*Muṣannaf*, 7:504f. nos. 37,575–83). Muslim, by contrast, places his versions of the 'three modes' tradition (*Ṣaḥīḥ*, 69f. nos. 49f.) in his *kitāb al-īmān*; Nasā'ī devotes no chapter to *al-amr bi'l-ma'rūf*, but similarly includes his versions of the 'three modes' tradition in his *kitāb al-īmān wa-sharā'i'ihī* (*Sunan*, 8:111f.). Here the concern is clearly with the implication of the phrase *ad'af al-īmān* for the concept of faith. Bukhārī, Dārimī (d. 255/869), and 'Abd al-Razzāq neglect the subject altogether. Overall, these facts strongly suggest that the collectors were not much interested in *al-amr bi'l-ma'rūf* as such.

for the duty. Thus the Companion Ibn Mas'ūd (d. 32/652f.) foretells that the Hour will come when people are at their worst, neither commanding right nor forbidding wrong.³⁸ This disarray may be presented as a short-coming of the believers, to be visited with divine displeasure; thus another Companion, 'Abdallāh ibn 'Umar (d. 73/693), holds that the eschatological beast which God will bring forth from the earth (Q27:82) will emerge when people no longer practise forbidding wrong.³⁹ But these conditions may also be seen as a context in which it will be appropriate for the believers to desist from performing the duty at all.

There are several examples of this trend. One is a well-known Syrian tradition in which the Prophet is asked about the implications of Q5:105, with its advice to the believers to look to their own souls.⁴⁰ In response he enjoins them to command right and forbid wrong until they find themselves confronted with the utter corruption of values;⁴¹ they should then look to themselves and forget the populace at large.⁴² Likewise the Companion Ibn Mas'ūd is present during a dispute as to whether Q5:105

³⁸ Nu'aym ibn Ḥammād, *Fitan*, 395.6 (Kūfan); I owe this reference to Nurit Tsafirir. For further predictions of the decay of *al-amr bi'l-ma'rūf*, see Ibn Abī Shayba, *Muṣannaf*, 7:475 no. 37,349 (also Kūfan, from Ḥudhayfa); Ibn Waḍḍāh, *Bida'*, 203 = 327 no. 5 (Egyptian, *mursal*), 211 = 337f. no. 38 (Baṣran, *mursal*); Bayhaqī, *Shu'ab*, 6:94 no. 7,584 *bis* (also Kūfan, from Ibn Mas'ūd); Ibn Abī 'l-Dunyā, *Amr*, 69 no. 25 (= 128 no. 96), 74 no. 29 (similarly 122 no. 87), 77 no. 33, 121 no. 86; Haythamī, *Zawā'id*, 7:270.23, 280.9, 280.19; Muttaqī, *Kanz*, 3:68 no. 5,519. For a prediction shared by Sunnī and Imāmī sources, see Ibn Abī 'l-Dunyā, *Amr*, 76 no. 31; Haythamī, *Zawā'id*, 7:280.22; Kulaynī, *Kāfī*, 5:59 no. 14; Tūsi, *Tahdhīb*, 6:177 no. 8.

³⁹ Nu'aym ibn Ḥammād, *Fitan*, 402.8, 404.8 (in the first, a 'an has dropped out before Ibn 'Umar, and in the second, the *wāw* which the editor has appended to 'Umar belongs in the Koranic quotation that follows; I owe these references to Nurit Tsafirir); Ibn Abī Shayba, *Muṣannaf*, 7:504 no. 37,575; Ibn Abī 'l-Dunyā, *Amr*, 75 no. 30; Ṭabarī, *Jāmi'*, 20:10.4, and the two traditions there following; cf. also *ibid.*, 10.10. The *isnāds* are Kūfan. In an Imāmī tradition, Muḥammad al-Bāqir (d. c. 118/736) foretells that in the last days (*fi ākhir al-zamān*) there will be those who regard *al-amr bi'l-ma'rūf* as obligatory only if it will cost them nothing, and invoke excuses of all kinds for not performing it; God will punish them collectively (Kulaynī, *Kāfī*, 5:55f. no. 1; Tūsi, *Tahdhīb*, 6:180f. no. 21; see further below, ch. 11, 256). On the other hand, those who do practise *al-amr bi'l-ma'rūf* under eschatological conditions may earn a greatly increased reward (Haythamī, *Zawā'id*, 7:261.23, 271.6).

⁴⁰ Abū 'Ubayd, *Nāsikh*, 98.20; Ibn Māja, *Sunan*, 1330f. no. 4014; Abū Dāwūd, *Sunan*, 4:512 no. 4,341 (whence Jaṣṣaṣ, *Aḥkām*, 2:31.13, 487.10); Tirmidhī, *Ṣaḥīḥ*, 8:221f. no. 3,060; Ibn Abī 'l-Dunyā, *Amr*, 41 no. 2; Ibn Waḍḍāh, *Bida'*, 218f. = 345 no. 11; Ṭabarī, *Tafsīr*, 11:145f. nos. 12,862f. (to Q5:105); Bayhaqī, *Sunan*, 10:92.5; Bayhaqī, *Shu'ab*, 6:83f. nos. 7,553f.; and, for versions without *isnāds*, Muttaqī, *Kanz*, 3:71 no. 5,531 (and cf. 3:75f. no. 5,557); Ibn 'Abd al-Wahhāb, *Naṣīḥa*, 66.10. The tradition is transmitted with a Syrian *isnād* from the Companion Abū Tha'laba al-Khushanī (d. 75/694f.). On the wording, cf. also above, ch. 2, note 68; for Q5:105, cf. above, ch. 2, note 80.

⁴¹ In Abū Dāwūd's version: *hattā idhā ra'ayta shuḥḥan muṭā'an wa-bawan muttaba'an wa-dunyā mu'tharatan wa-i'jāba kulli dhī ra'yin bi-ra'yihī*; compare Ṭabarī, *Tafsīr*, 11:143.2 no. 12,858.

⁴² In Abū Dāwūd's version: *fa-'alayka - ya'nī bi-nafsika - wa-da' 'anka 'l-awāmm*.

overrides the duty of commanding right. He intervenes to insist that the conditions of moral disorder to which the verse refers have not yet come, and accordingly instructs his hearers that until that time they should continue to perform the duty.⁴³ Similar interpretations of the verse are ascribed to other authorities.⁴⁴ Thus the young Syrian Jubayr ibn Nufayr (d. 80/699f.) finds himself in a gathering of Companions and others in which forbidding wrong is under discussion. He foolishly quotes Q5:105, and is reproved by those present, who afterwards tell him that, since he is so young, he may in fact live into the time to which the verse refers.⁴⁵ Ka'b al-Aḥbār (d. 34/654f.) holds that the verse will only apply when (among other things) the church of Damascus has been demolished and replaced with a mosque; the Damascene transmitter Abū Mushir (d. 218/833) identifies this building activity with the works carried out by the caliph Walīd ibn 'Abd al-Malik (r. 86–96/705–15).⁴⁶ In yet another Syrian tradition, the Prophet is asked when forbidding wrong is to be abandoned; he answers in different terms, but to similar effect.⁴⁷ Even more striking is an Egyptian tradition transmitted by Ibn Lahī'a (d. 174/790), in which the

⁴³ Ṭabarī, *Tafsīr*, 11:143f. nos. 12,859f.; Abū 'Ubayd, *Nāsikh*, 99.8; Jaṣṣāṣ, *Aḥkām*, 2:488.13; Bayhaqī, *Sunan*, 10:92.11; Bayhaqī, *Shu'ab*, 6:82f. no. 7,552. Although Ibn Mas'ūd is a Kūfan Companion, the *isnāds* are not Kūfan; their common link is Abū Ja'far al-Rāzī, a traditionist of the second/eighth century. In another transmission, Ibn Mas'ūd similarly states that the verse does not refer to the present, and that the duty is to be performed as long as those against whom it is directed are receptive to it (Ṭabarī, *Tafsīr*, 11:138–41 nos. 12,848–50, 12,855, of which the last is the most explicit; cf. also Naḥḥās, *Ma'ānī l-Qur'ān*, 2:374.3; Abū 'Ubayd, *Nāsikh*, 99.18; and Jaṣṣāṣ, *Aḥkām*, 2:488.26). This time, the *isnāds* are Baṣran, with Ḥasan al-Baṣrī (d. 110/728) as the common link.

⁴⁴ Ibn 'Umar states that it applies neither to himself nor to his companions, but to people (*aḡwām*) who will come after (Ṭabarī, *Tafsīr*, 11:139 no. 12,851; contrast *ibid.*, 140f. no. 12,854). In a Baṣran transmission from Qatāda (d. 117/735f.) an anonymous Companion or Companions again take the view that the verse refers to a future time (*ibid.*, 140–2 nos. 12,852f., 12,856f. (where the time is referred to as *ākhir al-zamān*)). Another such view is reported from an anonymous Companion by Ḥasan al-Baṣrī (*ibid.*, 144f. no. 12,861). See also Ibn Waḍḍāḥ, *Bida'*, 218 = 344f. nos. 9f. None of this material has Kūfan *isnāds*.

⁴⁵ Ṭabarī, *Tafsīr*, 11:142f. no. 12,858. The *isnād* indicates a Syrian provenance (for the identity of the 'Ibn Faḍāla' who appears in the *isnād*, see M. I. Fierro, 'Mu'āwīya b. Ṣāliḥ al-Ḥaḍramī al-Ḥimṣī: historia y leyenda', in M. Marín (ed.), *Estudios onomástico-biográficos de al-Andalus*, vol. 1, Madrid 1988, 346).

⁴⁶ Abū 'Ubayd, *Nāsikh*, 98.26; Jaṣṣāṣ, *Aḥkām*, 2:487.22; as might be expected, the *isnād* is Syrian. For Walīd's building works, see K. A. C. Creswell, *Early Muslim architecture: Umayyads*, Oxford 1969, esp. 188–91.

⁴⁷ Ibn Ḥanbal, *Musnad*, 3:187.5; Ibn Māja, *Sunan*, 1331 no. 4,015; Ibn Waḍḍāḥ, *Bida'*, 213 = 339 no. 43; Bayhaqī, *Shu'ab*, 6:84 nos. 7,555f.; and the parallel cited in van Ess, *Theologie*, 1:81 n. 13. In what seems to be a Syrian tradition, the Prophet predicts a time of troubles (*fiṭna*) in which the believer will be unable to perform the duty by hand or tongue; but this will not detract from his faith more than the smallest leak from a water-skin (Ibn Rajab, *Jāmi' al-'ulūm wa'l-hikam*, 347.10; Haythamī, *Zawā'id*, 7:275.6; Muttaqī, *Kanz*, 3:78 no. 5,571).

Prophet tells his followers to cease forbidding wrong at the beginning of (the year) 200/815f.⁴⁸

For those who transmitted such traditions (not to mention those who may have put them into circulation by placing them in the mouths of earlier authorities), the bad times could readily be understood to have begun already. These traditions thus lend themselves to the unusual view that the duty has lapsed. Such an attitude, which is scarcely represented in the doctrines of the legal and theological schools, can best be seen as an expression of the quietist tendencies often found among the traditionists (*ahl al-ḥadīth*). We will encounter examples of this kind of thinking in the following chapter,⁴⁹ and a similar tone is in evidence in the thought of Aḥmad ibn Ḥanbal (d. 241/855).⁵⁰

There are also non-eschatological traditions which can be seen as expressions of the same tendency to draw the teeth of the duty, though the picture they present is far less coherent and consistent.

Some traditions suggest that failure to forbid wrong need not be damning. In one, Ibn Mas'ūd is confronted with the view that one who does not command right and forbid wrong is damned (*ḥalaka*); he replies that this is rather the fate of one who fails to approve of right and disapprove of wrong in his heart.⁵¹ The Prophet describes how, on the day of the Resurrection, God will ask a man what had prevented him from righting the wrongs he had seen; the answer 'I relied on you and was afraid of people' apparently suffices to exculpate him.⁵²

Other traditions seek to discourage tendencies to heroism. There is a Prophetic tradition that the believer should not court humiliation by exposing himself to an ordeal he cannot endure,⁵³ and this is adduced in

⁴⁸ Abū Bakr al-Mālikī (fifth/eleventh century), *Riyāḍ al-nufūs*, ed. H. Monés, Cairo 1951–, 1:74.11; Abū Zayd al-Dabbāgh (d. 696/1296f.), *Ma'ālim al-imān fī ma'rīfat ahl al-Qayrawān*, in the recension of Ibn Nāǧī (d. 839/1436), ed. I. Shabbūh *et al.*, Cairo and Tunis 1968–, 1:212.8. Unfortunately the transmitter from Ibn Lahī'a is not mentioned. I owe my knowledge of this tradition to Nurit Tsafirir. ⁴⁹ See below, ch. 4, 76f.

⁵⁰ See below, ch. 5, notes 184f.

⁵¹ Nu'aym ibn Ḥammād, *Fitan*, 89.14 (the fullest version); Ibn Abī Shayba, *Muṣannaḥ*, 7:504 no. 37,581; Ṭabarī, *Ĵāmi' al-bayān*, 27:132.4 (to Q57:16; I owe this reference to Etan Kohlberg); Bayhaqī, *Shu'ab*, 6:95 no. 7,588; Haythamī, *Zawā'id*, 7:275.19; and cf. Muqātil, *Khams mi'a*, 279.16; Ibn Waḍḍāh, *Bida'*, 230 = 360 no. 62; and Abū Bakr al-Khallāl (d. 311/923), *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, ed. 'A. A. 'Aṭā, Cairo 1975, 87 no. 12. The *isnād* is Kūfan.

⁵² Ḥumaydī, *Musnad*, 324 no. 739 (I owe this reference to Nurit Tsafirir); Ibn Ḥanbal, *Musnad*, 3:27.8, 29.23, 77.25; Ibn Māja, *Sunan*, 1332 no. 4,017; Ibn Abī 'l-Dunyā, *Amr*, 53 no. 11; Bayhaqī, *Sunan*, 10:90.27; Bayhaqī, *Shu'ab*, 6:90f. nos. 7,574f.; and for versions without *isnāds*, see Muttaqī, *Kanz*, 3:73 no. 5,542, 78 no. 5,569. The Companion who transmits the tradition is Abū Sa'īd al-Khudrī; the *isnāds* are Hijāzī.

⁵³ Ibn Ḥanbal, *Musnad*, 5:405.22; Ibn Māja, *Sunan*, 1332 no. 4,016; Tirmidhī, *Ṣaḥīḥ*, 7:35 no. 2,255; Ibn Abī 'l-Dunyā, *Amr*, 131 no. 100 (all from Ḥudhayfa); Ibn Waḍḍāh, *Bida'*,

the context of forbidding wrong.⁵⁴ Cold water is poured on the idea that it is necessarily a fine thing to speak out in the presence of an unjust, or any, ruler.⁵⁵ Thus Ibn ‘Abbās (d. 68/687f.) takes the view that one should not command and forbid those in authority if there is a risk of getting killed for it.⁵⁶

Finally, there are traditions that – perhaps quite innocently – dwell on the ifs and buts of the duty. One ought to start by putting oneself to rights before venturing to command and forbid others.⁵⁷ One should likewise take no action if one fears bringing upon oneself a calamity worse than the evil one is forbidding.⁵⁸ In any event, one has to be suitably qualified. Thus the Prophet states that one should not forbid wrong unless one possesses ‘three qualities’: civility, knowledge and probity.⁵⁹ At the same time one must respect privacy.⁶⁰ One should not seek to expose people: a well-

233 = 364 no. 77; and cf. Haythamī, *Zawā’id*, 7:274.20 (from Ibn ‘Umar), 275.2 (from ‘Alī). The *isnād* is Baṣran. The tradition is also ascribed by the Imāmīs to Ja’far al-Šādiq (Ṭūsī, *Tahdhīb*, 6:180 nos. 17f.).

⁵⁴ Haythamī’s version from Ibn ‘Umar is framed in an anecdote in which the latter disapproves of something Ḥajjāj has said, and wishes to do something about it (*an ughayyir*); he then remembers this saying of the Prophet, and thinks better of it. Ibn Māja’s version appears in his chapter on the duty. Later authors likewise cite the tradition in the context of *al-amr bi’l-ma’rūf* (see, for example, below, ch. 6, note 141, but contrast ch. 5, note 125).

⁵⁵ Compare the Imāmī tradition from Ja’far al-Šādiq that there is no reward for suffering incurred through exposing oneself to (the anger of) an unjust ruler (Kulaynī, *Kāfī*, 5:60f. no. 3; Ṭūsī, *Tahdhīb*, 6:178 no. 12); contrast the tradition cited above, ch. 1, note 18.

⁵⁶ See below, ch. 4, note 52. There is also a tradition transmitted by Ibn ‘Abbās in which a man comes to the Prophet proposing that he should engage in *al-amr bi’l-ma’rūf*, only to be told that this is not for him, rather for the ruler (Abū Ya’lā ibn al-Farrā’ (d. 458/1066), *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, ms. Damascus, Ṣāḥirīyya, Majmū’ no. 3,779 = Majāmī’ 42, item 7, f. 104a.22, without *isnād*; for this work, see below, ch. 6, note 116).

⁵⁷ So Ibn ‘Abbās (Bayhaqī, *Shu’ab*, 6:88f. no. 7,569; the *isnād* is problematic). A Prophetic tradition describes the grim punishment meted out in hell to those who commanded right while themselves acting wrongfully (see, for example, Ibn Ḥanbal, *Musnad*, 5:205.13, 207.7, 209.13; Bukhārī, *Ṣaḥīḥ*, 2:319.10; Muslim, *Ṣaḥīḥ*, 2,290f. no. 2,989; Bayhaqī, *Sunan*, 10:95.2; Bayhaqī, *Shu’ab*, 6:88 no. 7,568; and cf. Humaydī, *Musnad*, 250 no. 547; the *isnāds* are Kūfān). Yet another Prophetic tradition urges that one should command right even if one’s own conduct is not fully righteous (see, for example, Ibn Waḍḍāḥ, *Bida’*, 234 = 365 no. 83; Jaṣṣāṣ, *Aḥkām*, 2:33.27; Bayhaqī, *Shu’ab*, 6:89 no. 7,570; also Haythamī, *Zawā’id*, 7:277.4; the *isnāds* would seem to be Meccan or Syrian).

⁵⁸ Ibn Waḍḍāḥ, *Bida’*, 230 = 360 no. 59; Muttaqī, *Kanz*, 3:76 no. 5,559.

⁵⁹ Daylamī, *Firdaws*, 5:137f. no. 7,741; Muttaqī, *Kanz*, 3:76 no. 5,561. The transmitter is the Baṣran Companion Anas ibn Mālīk (d. 91/709f.), who in turn transmits to the Baṣran Abān (ibn Abī ‘Ayyāsh) (d. 138/755). This saying is well known, though it is rarely attested, as here, as a Prophetic tradition (cf. below, ch. 5, note 74; ch. 6, note 126; ch. 8, note 102). Another tradition states that one should not command right until one is knowledgeable (*‘ālim*), and knows what one is commanding (Muttaqī, *Kanz*, 3:76 no. 5,560).

⁶⁰ See, for example, the Kūfān tradition from Ibn Maṣ’ūd cited below, ch. 4, note 261, with implicit reference to the Koranic prohibition of spying on people (Q49:12). A Prophetic tradition avers that a hidden sin harms only the sinner, whereas one that is public knowledge, and is not put right (*lam tughayyar*), harms people at large (Ibn Abī ‘l-Dunyā (d. 281/894),

known Prophetic tradition states that he who keeps concealed something that would dishonour a Muslim (*man satara Musliman* or the like) will receive the same consideration from God.⁶¹ All in all, if one cannot perform the duty, then one cannot, and it is enough that God should know that one disapproves in one's heart.⁶²

On the other hand, just as in Koranic exegesis, there is little attempt to confine the duty to an elite.⁶³ The one tradition that bears directly on this question states that God will not punish people at large (*al-ʿamma*) for the sins of the elite (*al-khāṣṣa*), until the point is reached at which they see wrongs all around them which they are in a position to put right; at that point, if they fail to act, He will punish the lot of them.⁶⁴

4. CONCLUSION

Two things are worth attention in conclusion. The first is the geographical provenance of the material. In presenting the traditions, I have attempted where possible to indicate where they come from, and we can now review this evidence. As might be expected, relevant traditions reach us from all the major centres of traditionist activity: Kūfa, Baṣra, Syria and

Footnote 60 (*cont.*)

ʿUqūbāt, ed. M. K. R. Yūsuf, Beirut 1996, 43 no. 40, and the editor's references thereto; Muttaqī, *Kanz*, 3:73 no. 5,539, 81 no. 5,582). Neither of these traditions refers explicitly to *al-amr bi'l-ma'rūf*, but both are found in pages devoted to the duty.

⁶¹ Ibn Ḥanbal, *Musnad*, 8:46 no. 5,646, 13:161 no. 7,421, 15:86 no. 7,929; 2:514.26, 522.3, 4:62.20, 104.3, 104.7, 5:375.17; Bukhārī, *Ṣaḥīḥ*, 2:98.13; Muslim, *Ṣaḥīḥ*, 1996 no. 2,580, 2,074 no. 2,699; Ibn Māja, *Sunan*, 82 no. 225, 850 nos. 2,544, 2,546; Abū Dāwūd, *Sunan*, 5:234f. no. 4,946; Tirmidhī, *Ṣaḥīḥ*, 5:113–15 nos. 1425f., 6:175 no. 1931; Ibn ʿAbd al-Ḥakam (d. 257/871), *Futūḥ Miṣr wa-akbbārūhā*, ed. C. C. Torrey, New Haven 1922, 275.8; and cf. Ḥumaydī, *Musnad*, 189f. no. 384; Ibn Ḥanbal, *Musnad*, 2:389.1, 404.30, 500.20, 4:159.7; Muslim, *Ṣaḥīḥ*, 2002 no. 2,590. In a striking variant, one who covers the shame of a believer (*man satara mu'minan*) is as one who brings to life a buried infant (*maw'ida*) from her grave (cf. Q81:8) (Ibn Ḥanbal, *Musnad*, 4:147.26; and cf. *ibid.*, 147.29, 153.26, 158.14; Abū Dāwūd, *Sunan*, 5:200f. no. 4,891). All major centres of transmission are represented in the *isnāds*. Again, these traditions make no mention of *al-amr bi'l-ma'rūf*, but their relevance is clear, and they are quoted in this context (see below, ch. 5, note 135; ch. 6, notes 152f.).

⁶² Ibn Abī Shayba, *Muṣannaf*, 7:504 no. 37,582; Bukhārī, *Kabīr*, 2:1:278 no. 951; Ibn Waḍḍāḥ, *Bida'*, 232 = 362 no. 70; Ibn Abī 'l-Dunyā, *Amr*, 136 no. 105; Haythamī, *Zawā'id*, 7:275.14; Muttaqī, *Kanz*, 3:75 no. 5,553. The tradition is Kūfan.

⁶³ For Koranic exegesis, see above, ch. 2, 18–20.

⁶⁴ Nu'aym ibn Ḥammād, *Fitan*, 378.20 (I owe this reference to Nurit Tsafir); Ibn Ḥanbal, *Musnad*, 4:192.13; Ibn Abī 'l-Dunyā, *Amr*, 101 no. 62; Haythamī, *Zawā'id*, 7:267.9, 268.10; Muttaqī, *Kanz*, 3:67 no. 5,515; Ibn ʿAbd al-Wahhāb, *Naṣīḥa*, 67.15. This tradition is also attested as a saying of ʿUmar ibn ʿAbd al-ʿAzīz (d. 101/720) (so Abū Yūsuf, *Kharāj*, 11.2, and Ibn Sa'd, *Ṭabaqāt*, 5:282.13), or as an anonymous saying transmitted by him (so Mālik (d. 179/795), *Muwatta'*, ed. M. F. ʿAbd al-Bāqī, Cairo 1951, 991 no. 23, and Ibn Abī 'l-Dunyā, *Amr*, 102 no. 63). The *isnāds* are Ḥijāzī.

the Ḥijāz. There are, however, a couple of features of the geographical distribution of our traditions which are striking. One is the disproportionate role of Kūfa in the provenance of those traditions (the majority) that do not attempt to play down the duty: Kūfa is the source of about twice as much of this material as all other centres put together.⁶⁵ The other feature is the relative prominence of Syria in the provenance of the traditions that work to play down the duty: here Syria is as productive as all other centres taken together.⁶⁶ Such a contrast between the roles of the Kūfan and Syrian traditionists must surely be a reflection of the political geography of Umayyad times, with Kūfa as the leading centre of provincial opposition and Syria as the focus of metropolitan government. This in turn suggests that the material is often implicitly political even when not explicitly so.

The second aspect of the material that merits attention is its nature. It does not share the vague and general character of the Koranic references to the duty, but neither does it do much to elaborate a precise code of conduct. Most of the traditions are concerned to encourage believers to forbid wrong, or alternatively to discourage them from it; in other words, their purpose is to convey a mood, and the primary means through which they seek to achieve this is rhetoric. Here and there, however, we encounter potential building-blocks for later scholastic doctrines. The prime instance of this is, of course, the ‘three modes’ tradition, with its triad of deed, word and thought.⁶⁷ A few other traditions are couched in what might be described as a proto-scholastic idiom, though none achieved the same success; an example is the tradition according to which one should refrain from forbidding wrong if one fears subjecting oneself to something worse than the wrong itself.⁶⁸ A final point worth emphasising is that, just as in the context of Koranic exegesis, it is the consensus of the later scholarly tradition that establishes that we are talking about forbidding wrong even when this is not evident from the wording of the traditions themselves.

⁶⁵ Note particularly the Kūfan provenance of the ‘three modes’ tradition (see above, note 2), and the role of Kūfans in the transmission of all other major traditions in this category (see above, ch. 1, note 18, and above, notes 12, 19). By contrast, Kūfa plays only a limited role in the transmission of traditions of negative tendency (for two clear cases, see above, notes 51, 62; cf. also notes 57, 60). At the same time, Kūfa is the source of some predictions of the decay of *al-amr bi’l-ma’rūf* (see above, notes 38f.).

⁶⁶ Note particularly the Syrian provenance of Abū Tha’laba’s tradition (see above, note 40), and cf. the Syrian role in the transmission of minor traditions of this eschatological type (above, notes 45–7). By contrast, Syria plays little role in the propagation of traditions of positive tendency (but cf. above, notes 27, 57). ⁶⁷ See above, section 1.

⁶⁸ See above, note 58.

CHAPTER 4

BIOGRAPHICAL LITERATURE ABOUT EARLY MUSLIMS

1. INTRODUCTION

Islamic biographical literature is varied, and often rich, in its genres. It offers collections of biographies of traditionists, judges, poets, grammarians, Koran reciters, exegetes, women and others. Yet before modern times the idea does not seem to have occurred to anyone to collect into a single work biographical material on those who commanded right and forbade wrong.¹ This is a pity, since the existence of such a collection would have made the writing of this chapter much easier. Nevertheless, the broad range of biographical literature is our main source for the practice of the duty of forbidding wrong by individual Muslims, and it also provides incidental statements of their opinions on the subject.² The material is uneven and often threadbare; on occasion a writer may tell us no more than that the subject of a biography was assiduous in performing the duty.³ But fortunately most references are not as bald as this, and the anecdotal detail we are sometimes given can be colourful and significant.

Although this body of material does not lend itself to systematic presentation, I shall attempt in this chapter to identify its more striking features. By way of introduction, I shall look briefly at what the Muslim sources have to say about pre-Islamic figures, followed by the Prophet himself. But the bulk of the chapter will be devoted to individual Muslims of the first two centuries of Islam, with some forays into the third. My coverage is subject to two major limitations. The first is imposed by the sources: given the fact that the traditionists are the biographers of early Islam *par excellence*, the

¹ Cf. the little work of Ṣalāḥ al-Dīn al-Munajjid entitled *al-Āmirūn bi'l-ma'rūf fi 'l-Islām*, Beirut 1979.

² The bulk of the material used in this chapter is drawn from this biographical literature, but I have freely added relevant information from non-biographical sources. Some material regarding the views of Companions of the Prophet has already been covered in ch. 3.

³ See below, note 19.

material collected here relates disproportionately to traditionists and other figures in the major centres of learning who came to be accepted as religious authorities in Sunnī retrospect. The other limitation is a matter of convenience: I shall defer consideration of figures identifiable as members of the classical sects and schools until the chapters devoted to those communities.

We begin, then, with what might be called the prehistory of forbidding wrong. It was a matter of general agreement that the value, and indeed the duty, antedated the Islamic revelation. This view had support from the Koran, particularly as it was understood by the commentators. Q3:114 refers to a group of the ‘People of the Book’ who command right and forbid wrong.⁴ If we follow the mainstream of the commentarial tradition, Q5:79 condemns certain Israelites for failing to forbid each other wrong.⁵ Q7:163–6 describe an incident in which some Israelites forbade ‘evil’ (*sūʾ*) and others did not, and the commentators again understand this in terms of forbidding wrong.⁶ In Q31:17 the pre-Islamic sage Luqmān tells his son to command right and forbid wrong.⁷ Thus it is no surprise that Qurṭubī (d. 671/1273) should hold that the duty had been incumbent on earlier communities (*al-umam al-mutaqaddima*),⁸ and that we find numerous references in the sources to its performance or neglect among the ancient Israelites.⁹ Nevertheless, instances in which the duty is performed by a named individual are not particularly common. One example is Noah: there was, we are told, no one among the people of those days who forbade wrongs (*yanhāʾ ʿan munkar*), so God sent Noah to them.¹⁰

⁴ See above, ch. 2, note 5.

⁵ See above, ch. 2, 15f. (for the verse) and 26f. (for the commentators).

⁶ See above, ch. 2, 16 (for the passage) and notes 60, 69 (for the commentators).

⁷ See above, ch. 2, 28f.

⁸ Qurṭubī, *Jāmiʿ*, 4:47.4; he draws this inference from Q3:21 (cf. above, ch. 2, note 58).

⁹ One example is a tradition describing a slaughter of forbidders of wrong in the context of the killing of prophets referred to in Q3:21 (*ibid.*, 4:46.17; Fakhr al-Dīn al-Rāzī, *Tafsīr*, 7:229.15; Ṭabarī, *Tafsīr*, 6:285f. no. 6,780, and Bazzār, *Musnad*, 4:110.8 (no. 1285), with a Syrian *isnād*). Another is a tradition about Jesus passing by a ruined village, and learning that its inhabitants had failed to forbid wrong (ʿAbd al-Malik ibn Ḥabīb (d. 238/853), *Wasf al-firdaws*, Beirut 1987, 128 no. 317; I owe this reference to Maribel Fierro). See also below, notes 55, 224. Cf. the passage ascribed to the Torah by Kaʿb al-Aḥbār (d. 34/654f.) in the tradition quoted in Ghazzālī, *Iḥyāʾ*, 2:285.13, 306.9 (and for an equally apocryphal citation from the Gospel, see Ibn Aʿtham al-Kūfī (writing 204/819f.), *Futūḥ*, Hyderabad 1968–75, 1:127.10). Note, however, that according to an Ibādī source, Khadīr is not obligated to forbid wrong (Warjilānī (d. 570/1174f.), *Dalīl*, Cairo 1306, 3:163.10); I have not seen other statements on this point.

¹⁰ Ibn Saʿd, *Ṭabaqāt*, 1:1:16.24. Other such instances are found in Kisāʾī’s accounts of Idrīs’s confrontation with the musical and sexual depravities of the descendants of Cain (Kisāʾī (uncertain date), *Qışaṣ al-anbiyāʾ*, ed. I. Eisenberg, Leiden 1922–3, 82.11) and of Lot’s embarrassment at the sexual orientation of his people (*ibid.*, 148.15).

Moving on to Islamic times, it goes without saying that the Prophet commanded right and forbade wrong. He is described as doing so in Q7:157,¹¹ a verse traditionally considered to go back to the Meccan period of his career.¹² Here and there, we accordingly encounter references to his activity in such terms. Thus a prophecy regarding the Prophet placed in the mouth of the pre-Islamic Yemeni king Sayf ibn Dhī Yazan (*fl.* c. AD 570) mentions that he will forbid wrong.¹³ An account of the conversion of Abū Dharr al-Ghifārī (d. 32/652f.) has it that he sent his brother to Mecca to find out more about the self-proclaimed prophet who had recently appeared; on his return his brother reported to him that the man was commanding right and forbidding wrong.¹⁴ An Ibādī scholar speaks of the hostility with which people reacted when the Prophet counselled them, commanded them right and forbade them wrong.¹⁵ Yet the fact of the matter is that references to the duty are infrequent in accounts of the life of the Prophet. Thus there is almost nothing to be found in the biographical works of Ibn Ishāq (d. 150/767f.)¹⁶ or Wāqidi (d. 207/823).¹⁷ The only significant qualification is that a few accounts of the form of words by

¹¹ See above, ch. 2, 14.

¹² As were Q7:199 and Q31:17 (but cf. T. Nöldeke *et al.*, *Geschichte des Qurāns*, Leipzig 1909–39, 1:157, 159f.). Shāṭibī (d. 790/1388) adduces Q31:17 to show that *al-amr bi'l-ma'rūf* was already established in the Meccan period (*al-Muwāfaqāt fī uṣūl al-sharī'a*, ed. 'A. Darrāz, Cairo n.d., 3:50.6).

¹³ Muḥammad ibn Ḥabīb (d. 245/860), *Munammaq*, Hyderabad 1964, 544.1 (in a narrative which is not from Ibn Ḥabīb himself, see *ibid.*, 538.6).

¹⁴ Ibn Sa'd, *Ṭabaqāt*, 4:1:165.5.

¹⁵ Bisyawī (fourth or fifth/tenth or eleventh century), *Jāmi'*, Ruwī 1984, 4:190.11. See also 'Abdallāh ibn Buluqqīn (writing c. 487/1094), *Tibyān*, ed. A. T. al-Ṭībī, Rabat 1995, 50.1 (I owe this reference to Maribel Fierro).

¹⁶ In his account of the revelation which gave the Prophet permission to fight his enemies, Ibn Ishāq quotes Q22:39–41, which includes a reference to forbidding wrong, and then proceeds to paraphrase it (Ibn Hishām (d. 218/833), *al-Sira al-nabawiyya*, ed. M. al-Saqqa *et al.*, Cairo 1955, 1–2:467.20, 468.2). Q3:114 is likewise quoted (*ibid.*, 558.3). The wording *amartuka bi' . . . 'l-ma'rūfi* appears in a poem (see below, ch. 19, note 37). I also noted the use of the verb *ankara* in reference to protests against a misdeed of Khālīd ibn al-Walīd (d. 21/641f.) (*ibid.*, 3–4:429.22, not from Ibn Ishāq); this might be construed as a case of forbidding wrong. I did not attempt to examine recensions of Ibn Ishāq's work other than Ibn Hishām's.

¹⁷ Here too the verb *ankara* occurs in the sense of 'object to' (Wāqidi, *Maghāzī*, 908.19, 960.18). Wāqidi also relates that when the caliph Mu'awiya (r. 41–60/661–80) instituted some earthworks which disturbed the graves of the martyrs slain at the battle of Uhūd in the year 3/625, their bodies were found to be perfectly preserved (for this see E. Kohlberg, 'Medieval Muslim views on martyrdom', in Koninklijke Nederlandse Akademie van Wetenschappen, *Mededelingen, Afdeling Letterkunde*, 60 (1997), 292f.); the Companion Abū Sa'īd al-Khudrī (d. 74/693), whose own father was among those who had fallen at the battle, remarked cryptically: 'No wrong will ever be denounced after this' (*lā yunkar ba'da hādha munkar abadan*, Wāqidi, *Maghāzī*, 268.1; for the death at Uhūd of Mālik ibn Sinān, the father of Abū Sa'īd, see *ibid.*, 302.10). But this is long after the Prophet's death.

which the Medinese gave their allegiance to the Prophet at the second meeting at 'Aqaba include a reference to forbidding wrong.¹⁸

With the Companions of the Prophet and those who came after them, the number of figures for whom biographical information is available increases enormously. But only a relatively small proportion of them have anything relevant to offer us. All in all, the total number of such persons caught in my net for the period with which we are concerned in this chapter is around sixty. Each of these said or did something that relates to forbidding wrong, though the claims of some to inclusion in the group are rather marginal, and the information we are given may be minimal.¹⁹

Before we plunge into this material, it is worth drawing out the implications of a couple of general points. The first is that we owe the literature on which this chapter is based to the Sunnī traditionists. As we have seen, this is a group among whom we find a certain tendency to downplay the duty.²⁰ Even the hostile reports of the categorical denial of the obligatoriness of forbidding wrong among the 'Hashwiyya'²¹ – a rude term for anthropomorphist traditionists – have some basis in historical fact.²² The traditionists, of course, did not generally care to see things this way. Thus Ibrāhīm ibn Mūsā al-Rāzī (d. c. 230/844) was asked: 'Who are "those who command right and forbid wrong"?' He responded that the people referred to (sc. in Q9:112) were none other than the traditionists (*nahnu*

¹⁸ Ibn Hanbal, *Musnad*, 3:322.27, 340.1, 5:325.11; Ibn Ḥibbān, *Thiqāt*, 1:109.13 (without *isnād*); Ḥākim, *Mustadrak*, 2:625.6; Bayhaqī (d. 458/1066), *Dalā'il al-nubuwwa*, ed. 'A. Qal'ajī, Beirut 1985, 2:443.6, 452.2. Leaving aside Ibn Ḥibbān's account, there are essentially two traditions here, albeit with a common link: the Meccan 'Abdallāh ibn 'Uthmān ibn Khuthaym (d. 132/749f.). The Baghdādī Abū 'l-'Abbās al-Abbār (d. 290/903) had a dream in which he saw the Prophet and did allegiance to him with such a formula (Khaṭīb, *Ta'rikh Baghdād*, 4:306.19; I owe this reference to Nurit Tsafirir).

¹⁹ Thus the Wāsiṭī Khālīd ibn 'Abdallāh al-Ṭaḥḥān (d. 179/795) is said to have commanded right (Dhahabī (d. 748/1348), *Tadhkirat al-huffāz*, Hyderabad 1968–70, 260.7, drawn to my attention by Nurit Tsafirir); but this is all we are told. Things are not much better in the case of the pious Wāsiṭī traditionist Yazīd ibn Hārūn (d. 206/821), who according to a statement widely quoted in the sources 'was counted among those who command right and forbid wrong' (Khaṭīb, *Ta'rikh Baghdād*, 14:346.16; Dhahabī (d. 748/1348), *Siyar a'lām al-nubalā'*, ed. S. al-Arna'ūṭ *et al.*, Beirut 1981–8, 9:361.15 (I owe this reference to Nurit Tsafirir); Dhahabī, *Ta'rikh al-Islām*, ed. 'U. 'A. Tadmuri, Beirut 1987–, years 201–10, 457.15; Ibn Ḥajar, *Tahdhīb*, 11:369.5; the source of the statement is Ya'qūb ibn Shayba (d. 262/875f.)). Possibly the reference is to an incident in which he intervened in the building of a mosque (see van Ess, *Theologie*, 2:431, citing Baḥshal (d. 292/904f.), *Ta'rikh Wāsiṭ*, ed. K. 'Awwād, Baghdad 1967, 158.17, 158.19). Abū 'l-'Āliya (d. 90/708f.) refers to Ḥasan al-Baṣrī (d. 110/728) rather dismissively as 'a Muslim man who commands right and forbids wrong' (Fasawī, *Ma'rifa*, 2:52.7; Abū Ishāq al-Shīrāzī (d. 476/1083), *Ṭabaqāt al-fuqahā'*, Baghdad 1356, 70.17); in context, the implication seems to be that he felt no need to take notice of Ḥasan as a scholar.

²⁰ See above, ch. 3, section 3.

²¹ See below, ch. 9, notes 40, 160; and cf. note 7 and 224, and Abū Hayyān, *Baḥr*, 3:20.19.

²² Cf. below, ch. 5, 106.

hum), since it is they who transmit the commands and prohibitions of the Prophet.²³ But it has also been observed that forbidding wrong hardly figures in traditionist creeds.²⁴ In short, there is some reason to expect that the interest of the Sunnī biographers in forbidding wrong should be limited; the value carried overtones of an uncongenial political activism.

This expectation, however, is balanced by the other general point to be made here. Our authors, or their sources, were biographers. As such, they were engaged in, among other things, the great early Islamic pastime of entertaining their audiences.²⁵ Forbidding wrong was a theme that lent itself to this purpose. It is typically an individual performance, and as such fits well into a biography: unlike a participant in holy war, someone who undertakes this duty is normally on his own. He is, moreover, embarking on an enterprise with an open outcome. This is an agonistic activity; it takes courage, skill, nerve, and judgement – not to mention luck – to pull it off. It is quite unlike prayer or fasting, duties that any normal person can adequately fulfil just by keeping at them. It also differs from them in that the conditions under which it is undertaken, and the eventual outcome, can be very varied indeed. Superior performances in forbidding wrong are thus likely to be dramatic and distinctive – highly eligible material for biographers, irrespective of their religious preoccupations. The importance of this factor will be evident in what follows.

2. CONFRONTING THE STATE

The single most prominent theme in the biographical material is confrontation with the authorities, typically the caliphs and their governors. The hero goes in to someone in power and reproves him for his wrongdoing in the manner of the goldsmith of Marw;²⁶ the consequences, however, are often less dire. Such encounters are regularly reported in a tone of approval – the negative image of the zealot who sought to get himself killed by the caliph al-Ma'mūn (r. 198–218/813–33) is unusual.²⁷ As we have seen, this confrontational theme is also present in tradition,²⁸ but it is by no means so prominent there. If we accept this robust attitude towards reproving rulers as mainstream, we can go on to define two contrasting trends of thought as extreme in relation to it, though by no means entirely beyond

²³ See al-Khaṭīb al-Baghdādī (d. 463/1071), *Sharaf aṣṣāb al-ḥadīth*, ed. M. S. Hatiboğlu, Ankara 1972, 46 no. 91. ²⁴ Madelung, *Qāsim*, 17.

²⁵ The later institutionalisation of Islamic scholarship in the *madrasa* must have significantly reduced the pressure on scholars to be interesting. This may help to account for the dry character of much of the biographical literature of later centuries, a character which makes it much less rewarding for the study of forbidding wrong. ²⁶ Cf. above, ch. 1, 3–7.

²⁷ Cf. above, ch. 1, 10f. ²⁸ See above, ch. 3, 39, and cf. above, ch. 2, 29f.

the pale. One is an activist trend which is prepared to go beyond verbal confrontation with unjust rulers, and to risk armed insurrection against them. The other is a quietist trend which regards even verbal confrontation with the authorities with deep misgivings. Let us begin with the extremes.

We have already encountered one early Muslim for whom forbidding wrong entailed rebellion, namely the goldsmith of Marw.²⁹ As we saw, his view caused great consternation to Abū Ḥanīfā (d. 150/767f.), whom Ibrāhīm was casting in the role of prospective leader of his rebellion. This did not, however, impel Abū Ḥanīfā to break with him; he responded rather with counsels of prudence. Another such activist is the well-known Kūfan Shī'ite Ḥasan ibn Šālīḥ ibn Ḥayy (d. 167/783f.).³⁰ When Ṭabarī (d. 310/923) describes him as holding with action against wrong (*inkār al-munkar*) by any available means,³¹ what he has in mind is doubtless Ḥasan's notorious espousal of the sword, that is to say of armed rebellion against unjust rule.³² 'This Ibn Ḥayy', as one of his contemporaries observed, 'has been asking to be crucified for a long time, but we can't find anyone to do it for him.'³³ Yet the greatly respected Shāfi'ite Ibn Ḥajar al-ʿAsqalānī (d. 852/1449) did not find it difficult to enter a defence on behalf of Ḥasan: his belief in such recourse to the sword was a well-known persuasion among the early Muslims, for all that it was later abandoned in the light of its results – and in any case, Ḥasan did not actually rebel against anyone.³⁴ In the same way ʿAbdallāh ibn Farrūkh (d. 175/791), a Persian Ḥanafī who migrated to Ifrīqiya, associated commanding right with rebellion against unjust rule – though he never launched or joined an insurrection either.³⁵ Someone who came closer to this was Aḥmad ibn Naṣr al-Khuzāʿī (d. 231/846), grandson of one of the leaders of the movement that brought the ʿAbbāsids to power. He is described in the sources as given to commanding right and speaking out boldly (*ammāran bi'l-ma'rūf qawwālan bi'l-ḥaqq*).³⁶ This

²⁹ See above, ch. 1, 7. Compare the way in which Ibrāhīm tells Abū Muslim (d. 137/755) that he is attacking him verbally only because he lacks the strength to do so physically (see above, ch. 1, 3). ³⁰ On whom see van Ess, *Theologie*, 1:246–51.

³¹ Ṭabarī, *Ta'rikh*, series III, 2:516.14 (I owe this reference to Nurit Tsafir). The phrase *inkār al-munkar* is used synonymously with forbidding wrong; it has some basis in tradition (see above, ch. 3, notes 8, 16).

³² See, for example, Mizzī, *Tahdhīb*, 6:181.12, 181.15, 181.17, 182.4, 182.16, 184.6, 185.14.

³³ *Ibid.*, 184.2, from Zāʿida ibn Qudāma (d. 161/777); and cf. Dhahabī (d. 748/1348), *Mizān al-i'tidāl*, ed. ʿA. M. al-Bajāwī, Cairo 1963–5, 1:498.12.

³⁴ Ibn Ḥajar, *Tahdhīb*, 2:288.6. For similar views expressed by later Shāfi'ites, see K. Abou El Fadl, 'The Islamic law of rebellion', Princeton Ph.D. 1999, 278 n. 841.

³⁵ See below, ch. 14, 385.

³⁶ Khaṭīb, *Ta'rikh Baghdād*, 5:174.8; Samʿānī, *Ansāb*, 5:116.12; Mizzī, *Tahdhīb*, 1:506.9; Dhahabī, *Siyar*, 11:166.13; Dhahabī, *Ta'rikh al-Islām*, years 231–40, 55.7; and cf. Ibn al-Jawzī (d. 597/1201), *Muntaẓam*, ed. M. ʿA. and M. ʿA. ʿAṭā, Beirut 1992–3, 11:165.8.

characterisation is undoubtedly based on two episodes in his life, both involving political activities verging on rebellion which our sources associate with commanding right and forbidding wrong. The first episode was in 201/817, when Aḥmad was one of the leaders who arose in Baghdad under conditions of anarchy and sought to restore some kind of order in the streets.³⁷ The second was in 231/846, when he plotted rebellion against the caliph al-Wāthiq (r. 227–32/842–7) and his imposition of the doctrine of the created Koran; the plot was divulged and he was executed.³⁸ Men such as these represent the relatively faint echo among the Sunnīs of a theme that is fully audible in more activist quarters: among the Khārijites, the Zaydīs, and perhaps the Mu‘tazilites.³⁹

This flirtation with rebellion as a means of forbidding wrong is explicitly condemned by some distinguished authorities. A man came to the Companion Ḥudhayfa ibn al-Yamān (d. 36/656f.) and asked him: ‘Don’t you command right and forbid wrong?’ To this Ḥudhayfa replied: ‘Commanding right and forbidding wrong is indeed a fine thing, but it is no part of the normative custom (*sunna*) to take up arms against your ruler (*imām*).’⁴⁰ Another Companion, ‘Abdallāh ibn ‘Umar (d. 73/693), drew a firm line between, on the one hand, commanding and forbidding those in power and, on the other, armed subversion against them.⁴¹ For Ḥasan al-Baṣrī (d. 110/728) there is likewise no question of resorting to arms in performing the duty. He rejects the suggestion that he should rebel in order to right wrongs (*a-lā takhruj fa-tughayyir?*), replying that God himself rights wrongs through repentance, not the sword.⁴² Told of a Khārijite who had rebelled in Ḥira, he comments that the man had seen a wrong and objected to it (*ankarahu*), but in seeking to right it had fallen into a worse

³⁷ For references, see below, ch. 5, notes 189f.

³⁸ For references, see below, ch. 5, note 194.

³⁹ For the Khārijites, see below, ch. 15, 393–5, 395f.; for the Zaydīs, see below, ch. 10, section 3; for the Mu‘tazila, see below, ch. 9, 196–8, 204. A couple of sayings of ‘Alī (d. 40/661) link forbidding wrong to *jihād* (see above, ch. 3, notes 31f., and Ghazzālī, *Iḥyā’*, 2:285.19); this is doubtless a resonance of the early Shī‘ite political activism strongly reflected in Zaydī sources (for the role of ‘Alī in Zaydī tradition, see above, ch. 3, note 23, and below, ch. 10, notes 5, 8f., 11), and present also in Imāmī ones (for the (rather limited) role of ‘Alī in Imāmī tradition, see above, ch. 3, note 28; below, ch. 11, notes 11 (items (4), (10), (11)), 12, 20, 21f., 40, 41, 43, 45, 49, and cf. 57; there is an activist tone in evidence in much of this material, and Imāmī quietism is conspicuously absent from it).

⁴⁰ Ḥanbal ibn Ishāq (d. 273/886), *Dhikr miḥnat al-imām Aḥmad ibn Ḥanbal*, Cairo 1977, 99.3; similarly Nu‘aym ibn Ḥammād, *Fitan*, 85.11; Ibn Abī Shayba, *Muṣannaf*, 7:508 no. 37,613; Ibn Abī Ḥātim al-Rāzī (d. 327/938), *Taqdimat al-ma‘rifat*, ed. ‘A. al-Mu‘allimī al-Yamānī, Hyderabad 1952, 270.10 (drawn to my attention by Nimrod Hurvitz).

⁴¹ Nu‘aym ibn Ḥammād, *Fitan*, 92.10; also *ibid.*, 89.8 (defective?).

⁴² Ibn Sa‘d, *Tabaqāt*, 7:1:125.14 (cited in H. H. Schaeder, ‘Hasan al-Baṣrī: Studien zur Frühgeschichte des Islam’, *Der Islam*, 14 (1925), 57, and H. Ritter, ‘Studien zur Geschichte des islamischen Frömmigkeit: I. Ḥasan al-Baṣrī’, *Der Islam*, 21 (1933), 52).

one.⁴³ The Kūfan ‘Abdallāh ibn Shubruma (d. 144/761f.) replies in verse to a letter from the Mu‘tazilite ‘Amr ibn ‘Ubayd (d. 144/761), in which ‘Amr has encouraged him to perform the duty, or reproached him for not doing so. One point made by Ibn Shubruma in his response is that commanding (right) is not to be carried out by unsheathing the sword against rulers.⁴⁴ We have already met Abū Ḥanīfā’s rejection of rebellion in terms of its adverse consequences.⁴⁵ These condemnations suggest that the association of forbidding wrong with rebellion was widespread. But it can hardly have been the norm: in general, it is simply taken for granted in our sources that rebellion is not an option for those who would forbid wrong.

At the other extreme there are those who, far from contemplating rebellion against unjust rulers, are against even verbal admonition of them. The true commander and forbiddler, says ‘Abdallāh ibn al-Mubārak (d. 181/797), is not someone who goes into the presence of rulers to command and forbid them, but rather someone who avoids contact with them altogether (*i’tazalahum*).⁴⁶ This attitude too is commonly justified in terms of the likely consequences of such action. When asked why he did not go to the ruler (*sultān*) and command him, Sufyān al-Thawrī (d. 161/778) replies: ‘When the sea overflows, who can dam it up?’⁴⁷ Ḥasan al-Baṣrī is against going in to rulers to command and forbid them;⁴⁸ he explains that it is not for a believer to humiliate himself,⁴⁹ and that the

⁴³ Ibn al-Jawzī (d. 597/1201), *al-Ḥasan al-Baṣrī*, ed. Ḥ. al-Sandūbī, Cairo 1931, 34.12 (cited in Ritter, ‘Studien’, 52).

⁴⁴ For references, see below, note 226. The terms used are *al-a’imma* (so Khallāl) and *al-khalīfa* (so Ibn Abī ‘l-Dunyā, but corrupted in the text of Wakī‘ to *al-khalīqa*).

⁴⁵ See above, ch. 1, 7–9.

⁴⁶ Ibn Rajab (d. 795/1393) *apud* Ibn ‘Abd al-Barr (d. 463/1071), *Jāmi‘ bayān al-‘ilm*, Cairo n.d., 1:179.1, in a text inserted by the editor. In the separate edition of this little work published by Ḥallāq, a line has been omitted by haplography at this point (Ibn Rajab, *Sharḥ wa-bayān li-ḥadīth Mā dhi’bān jā’i’ān*, ed. M. Ṣ. Ḥ. Ḥallāq, Beirut 1992, 65.2). For Ibn al-Mubārak, see van Ess, *Theologie*, 2:551–5.

⁴⁷ Khallāl, *Amr*, 90 no. 20, and cf. below, ch. 5, note 154; for Sufyān, see van Ess, *Theologie*, 1:221–8. A more nuanced view is quoted from Sufyān by Ibn ‘Abd al-Barr (d. 463/1071): it used to be the case that it was the best people who confronted those in power and commanded them, while those who stayed at home were held of no account; but now those who go and command them are the worst people, and the best are those who stay at home (*Jāmi‘ bayān al-‘ilm*, ed. A. al-Zuhayrī, Dammām 1994, 640 no. 1107). Compare the remark of the Companion Abū Hurayra (d. 58/677f.) that it is no longer possible to speak out in the presence of rulers (*inna ‘l-sultān la yukallam al-yawm*); this, as the transmitter points out, was in the time of Mu‘āwiya (Nu‘aym ibn Ḥammād, *Fitan*, 89.13; the implication is that things must be far worse today). The term *sultān* in these texts is used for a caliph or a governor without distinction.

⁴⁸ Hūd ibn Muḥakkam, *Tafsīr*, 1:305.9, and cf. Qurṭubī, *Jāmi‘*, 4:48.8 (both to Q3:104); Ibn Sa’d, *Tabaqāt*, 7:1:128.18; Ibn al-Jawzī, *al-Ḥasan al-Baṣrī*, 32.7.

⁴⁹ This saying is often met with as a Prophetic tradition transmitted by Ḥasan (see above, ch. 3, note 53).

swords of the rulers are mightier than our tongues.⁵⁰ Likewise the well-known ascetic Fuḍayl ibn 'Iyāḍ (d. 187/803) enjoins that you should command only someone who will accept it from you; reproving a ruler may spell disaster for yourself, your family and your neighbours.⁵¹

The rejection of such activity tends, however, to be somewhat less categorical than in the case of rebellion. For example, when the Companion 'Abdallāh ibn al-'Abbās (d. 68/687f.) is asked about the idea of reproving those in authority by Sa'īd ibn Jubayr (d. 95/714), he tells him that if he fears being killed for it, he should not upbraid the imam.⁵² Presumably, then, there is no objection provided the attempt is risk-free; and it is doubtless for this reason that Ibn 'Abbās goes on to tell Sa'īd that, if he must engage in such conduct, he should do it by speaking to the ruler in private.⁵³ Scholars in this camp also consider the possibility that, even if there is serious risk, the protagonist might perhaps be strong enough to endure the consequences. Thus Fuḍayl is greatly concerned that, through engaging in commanding and forbidding, people will subject themselves to ordeals they cannot endure and become infidels;⁵⁴ yet he makes an exception in favour of someone of unusual fortitude.⁵⁵ The Kūfān ascetic Dāwūd ibn Nuṣayr al-Ṭā'ī (d. 165/781f.), however, does not make even this concession. Asked about a man who goes in to rulers to command and forbid them, he replies that he fears that such a man would be whipped. But what if he can endure that? Then he fears he would be killed. And if he can endure that too? Then

⁵⁰ So Ibn Sa'īd's version. Schaeder seeks to set this testimony aside as incompatible with Ḥasan's whole persona ('Ḥasan al-Baṣrī', 57f.); but see below, note 224.

⁵¹ Ibn Abī 'l-Dunyā, *Amr*, 94 no. 50. In another account, Fuḍayl is asked whether one should forbid a *shurṭī*, an armed man, or a *sulṭān* who is wronging someone; he answers that one should if one can, but goes on to stress that one should not endanger oneself, one's family, one's neighbours, or any Muslim (*ibid.*, 133 no. 101). There are stories in which Fuḍayl meets the caliph Hārūn al-Rashīd (r. 170–93/786–809) and counsels him; but his counsels tend to be mild, and in the most widespread version it is made very clear that the meeting was forced on Fuḍayl against his will (for this version see J. Chabbi, 'Fuḍayl b. 'Iyāḍ, un précurseur du Hanbalisme', *Bulletin d'Etudes Orientales*, 30 (1978), 344 (second anecdote), citing Abū Nu'aym al-Iṣbahānī (d. 430/1038), *Ḥilyat al-awliyā'*, ed. M. A. al-Khānjī, Cairo 1932–8, 8:105.16; also Mizzi, *Tahdhīb*, 23:293.15; Dhahabī, *Siyar*, 8:378.10).

⁵² Ḥanbal, *Mihna*, 99.8 (for *taghtab* read *ta'tab*, and for *muḡīman* read *fa-fi-mā*); similarly Ibn Abī Shayba, *Muṣannaf*, 7:470 no. 37,307; Ibn Abī 'l-Dunyā, *Amr*, 113 no. 76; Bayhaqī, *Shu'ab*, 6:96 nos. 7,591f. The *isnād* is Kūfān. ⁵³ Cf. below, 79f.

⁵⁴ Ibn Abī 'l-Dunyā, *Amr*, 134 no. 102; Ghazzālī, *Ihyā'*, 2:285.24.

⁵⁵ Ibn Abī 'l-Dunyā, *Amr*, 92 no. 47, with a story about a courageous Israelite who rebuked an unjust king and endured the consequences without breaking. Compare Sufyān al-Thawrī: 'I don't forbid you to command and forbid, it's just that I fear for you that you may subject yourself to an ordeal you cannot endure' (Iṣḥāq ibn Ibrāhīm ibn Sulaymān ibn Wahb al-Kātib (writing after 334/946), *al-Burhān fī wujūh al-bayān*, ed. A. Maṭlūb and K. al-Ḥadīthī, Baghdad 1967, 277.16; I shall cite this author hereafter as Iṣḥāq ibn Wahb).

he fears that he would fall into the sin of self-conceit (‘*ujb*).⁵⁶ There is also the danger that when one actually finds oneself in the presence of the ruler, one will not have the nerve to go through with the intended reproof, and will instead fall into complicity with the wicked ways of the court. Maymūn ibn Mihrān al-Raqqī (d. 117/735f.) warns against putting oneself to the test by entering into the presence of someone in authority (*sulṭān*), even when one tells oneself that one will command him to obey God.⁵⁷ Ibn ‘Abbās is perhaps making the same point when he discourages a man from going to reprove a ruler on the ground that it would put him in the way of temptation (*fitna*).⁵⁸ The assumption is clearly that, were it not for these pitfalls, rebuking unjust rulers would be a virtuous act.

All in all, there are a good many scholars who pour cold water on the idea of commanding and forbidding rulers;⁵⁹ but their reservations, though far-reaching, tend to fall short of unqualified rejection. We are told that Ibn ‘Umar on one occasion had it in mind to rebuke Ḥajjāj (d. 95/714), but then thought better of it when he recalled the Prophetic tradition that a believer should not humiliate himself.⁶⁰ Despite his second

⁵⁶ Abū Nu‘aym, *Ḥilya*, 7:358.14; Ibn al-Jawzī (d. 597/1201), *Ṣifat al-ṣafwa*, ed. M. Fākhūrī, Aleppo 1389–93, 3:142.8 (I owe this reference to Nurit Tsafirir); Dhahabī, *Ta’rīkh al-Islām*, years 161–70, 181.4; R. Gramlich, *Alte Vorbilder des Sufitums*, Wiesbaden 1995–6, 1:303.

⁵⁷ Šāliḥ ibn Aḥmad ibn Ḥanbal (d. 266/880), *Sīrat al-imām Aḥmad ibn Ḥanbal*, ed. F. ‘A. Aḥmad, Alexandria 1981, 51.7. For Maymūn, see *EP*, art. ‘Maymūn b. Mihrān’ (F. M. Donner). He had himself held office under the pious caliph ‘Umar ibn ‘Abd al-‘Azīz (r. 99–101/717–20) and others, to his subsequent regret (Dhahabī, *Tadhkira*, 99.11; Mizzī, *Tahdhīb*, 29:218.16). Compare the observation made by Ibn Rajab after quoting the saying of Ibn al-Mubārak cited above, note 46: people readily entertain fantasies about confronting rulers with tough talk when they are still far away from them, but they feel differently about it once they get there.

⁵⁸ ‘Abd al-Razzāq, *Muṣannaf*, 11:348 no. 20,722, whence Bayhaqī, *Shu‘ab*, 6:96f. no. 7,593; Ibn Abī ‘l-Dunyā, *Amr*, 128 no. 97. The *isnād* is Yemeni.

⁵⁹ For further examples, see below, ch. 5, 101f., on Ibn Ḥanbal (d. 241/855) and Bishr al-Ḥāfi (d. 227/841f.); ch. 11, 257, on Ja‘far al-Šādiq (d. 148/765); and cf. ch. 14, note 16.

⁶⁰ See above, ch. 3, notes 53f. The sources offer a range of indications of Ibn ‘Umar’s attitudes towards rebuking rulers. We hear that at a certain point he stopped going in to see governors; his explanation was that if he were to speak out he risked having his motives misunderstood, while if he were to remain silent he risked falling into sin (Ibn Abī ‘l-Dunyā, *Amr*, 137 no. 108; Ghazzālī, *Iḥyā’*, 2:285.16). That forbidding wrong is the right activity to be engaged in when in the presence of a governor is implied in a question he asks about some people who appear in the mosque, after he is told that they have come fresh from the governor’s presence: ‘[Does that mean that] if they saw a wrong, they took a stand against it (*ankarūhu*), and if they saw a right, they commanded it?’ On being informed that their practice was rather to praise the governor to his face and damn him behind his back, he in effect brands this as hypocrisy (*nifāq*) (Dhahabī, *Sīyar*, 11:435.2; I owe this reference to Nurit Tsafirir). Like any self-respecting contemporary of Ḥajjāj, he finds occasion to dress him down (Ibn Sa‘d, *Tabaqāt*, 4:1:135.26; Ibn ‘Abd al-Barr (d. 463/1071), *al-Istī‘āb fī ma‘rifat al-aṣḥāb*, ed. ‘A. M. al-Bajāwī, Cairo n.d., 952.11; Dhahabī, *Tadhkira*, 37.10, 39.15).

thoughts, the anecdote does not suggest that the idea of rebuking Ḥajjāj was unthinkable for him.

With the extremes disposed of, we come to the mainstream of the biographical material on confronting rulers: the cases of men who command and forbid those in power, and are generally felt to be doing the right thing, and doing it well. For convenience I shall arrange a substantial part of the material around two distinct types. One is the notable who, however pious, owes a substantial part of his authority to his social standing. The other is the zealot who comes from nowhere, and whose authority reflects an achieved piety rather than an ascribed social status. It is not that those who forbid wrong fall neatly into one or other of these two categories; but a good many of them can usefully be seen either as instances of these types, or as departures from them.

A good example of the notable type is Ibn Abī Dhī'b (d. 159/775f.), a Medinese traditionist of good family. Despite a youthful infatuation with love-poetry, he had a reputation for piety.⁶¹ The sources characterise him as a man endowed with a strong personality and the courage to speak out.⁶² It is therefore not surprising that they describe him in general terms as given to forbidding wrong.⁶³ As often in such cases, what they have in mind here would seem to be his way of speaking out in the presence of the authorities. In this respect he is favourably contrasted with Mālik (d. 179/795): Ibn Abī Dhī'b would speak out while Mālik remained silent.⁶⁴ But while the sources imply that this was habitual behaviour on his part, the concrete details they offer relate overwhelmingly to a particular context: his courageous, not to say brazen, conduct in one or more audiences with the caliph al-Manṣūr (r. 136–58/754–75).⁶⁵

⁶¹ His biography is examined by van Ess in *Theologie*, 2:681–7. Van Ess (*ibid.*, 687) understands *kāna yansib fī ḥadāthatibi* (Khaṭīb, *Ta'rikh Baghdād*, 2:302.4) to mean that he was a genealogist in his youth, but the parallels have *yatashabbab* for *yansib* (Ibn Sa'd (d. 230/845), *al-Ṭabaqāt al-kubrā: al-qism al-mutammim li-tābi'ī ahl al-Madina wa-man ba'dahum*, ed. Z. M. Manṣūr, Medina 1983, 414.4; Mizzi, *Tahdhīb*, 25:637.9; Dhahabī, *Siyar*, 7:148.5); it seems the better reading.

⁶² See, for example, Ibn Sa'd, *Ṭabaqāt, al-qism al-mutammim*, 414.4: *wa-kāna min rijāl al-nās sarāmatan wa-ḡawlan bi'l-ḥaqq*.

⁶³ Van Ess, *Theologie*, 2:684, citing Muṣ'ab al-Zubayrī (d. 236/851), *Nasab Quraysh*, ed. E. Lévi-Provençal, Cairo 1976, 423.9; Khaṭīb, *Ta'rikh Baghdād*, 2:296.20, 297.8, 298.3; Mizzi, *Tahdhīb*, 25:635.1. It is said that he and Sa'd ibn Ibrāhīm were *aṣḥāb amr wa-naby* (Fasawī, *Ma'rifa*, 1:686.18; Ibn Abī Ya'lā (d. 526/1131), *Ṭabaqāt al-Ḥanābila*, ed. M. Ḥ. al-Fiqī, Cairo 1952, 1:251.20; Mizzi, *Tahdhīb*, 25:638.11); I take it that the reference is to the Sa'd ibn Ibrāhīm who was *qāḍī* of Medina and died in 126/743f., rather than to his grandson who became *qāḍī* of Wāsiṭ and died in 201/816f. (*ibid.*, 10:240–7 and 238–40 respectively). ⁶⁴ See below, ch. 14, note 190.

⁶⁵ For an analysis of the material, see van Ess, *Theologie*, 2:682f. (and note also Ibn Ḥibbān, *Thiqāt*, 7:390.9, where the caliph in the text as we have it is Hārūn al-Rashīd, who began to rule only in 170/786!). A version is quoted by Ghazzālī (*Ihyā'*, 2:318.13). There is also

A plausible example of the same type from Transoxania is the Murji'ite Abū Muṭī' al-Balkhī (d. 199/814), who held the office of judge in Balkh.⁶⁶ Abū Dāwūd (d. 275/889) is unkind enough to stigmatise him as a Jahmī,⁶⁷ but nevertheless adds that he had heard that he was outstanding in forbidding wrong (*min kibār al-āmirīn bi'l-ma'rūf wa'l-nāhīn 'an al-munkar*).⁶⁸ He offers no examples, but the biographers of Abū Muṭī' tell the story of his public protest (for which he had procured the tacit support of the governor of the city) against a letter received from the central government in which a Koranic quotation was misapplied for political ends.⁶⁹ Another possible instance of the type is Salm ibn Sālim al-Balkhī (d. 194/810), who was likewise involved in this protest; he arrived girt with his sword.⁷⁰ He too is said to have forbidden wrong, though again we are given no details of this.⁷¹ As with Abū Muṭī', it may be connected to his relations with the 'Abbāsīd authorities: though he is not depicted as actively subversive, his attitude was sullen and threatening, and this led to his imprisonment by the caliph Hārūn al-Rashīd (r. 170–93/786–809).⁷² However, it is not clear from what we are told that Salm was jailed on account of his forbidding wrong, and other sources indicate that the problem was what he said *about* the authorities, not what he said *to* them.⁷³

We can find a final example of the notable type among the Abnā', the descendants of the Khurāsānīs who brought the 'Abbāsīd dynasty to power

a story about his refusal to rise to his feet when the caliph al-Mahdī (r. 158–69/775–85) entered the Prophet's mosque in Medina (van Ess, *Theologie*, 2:683, and the sources there cited; also Mizzi, *Tahdhīb*, 25:642.3). Told to stand for the Commander of the Faithful, he retorted that one stands only for the Lord of the Worlds. But he does not *address* the caliph on this occasion. ⁶⁶ On whom see van Ess, *Theologie*, 2:536–40.

⁶⁷ For the accusation of Jahmism, cf. *ibid.*, 538 n. 30.

⁶⁸ Dhahabī (d. 748/1348), *Ibar*, ed. Š. al-Munajjid and F. Sayyid, Kuwait 1960–6, 1:330.5 (drawn to my attention by Nurit Tsafir); U. Rudolf, *Al-Māturīdī und die sunnitische Theologie in Samarkand*, Leiden 1997, 58.

⁶⁹ Madelung, 'The early Murji'a', 38 n. 25, and van Ess, *Theologie*, 2:536, with the sources there cited; Dhahabī, *Ta'rikh al-Islām*, years 191–200, 159.9; Ibn Abī 'l-Wafā', *Jawāhir*, 2:266.5.

⁷⁰ Khaṭīb, *Ta'rikh Baghdād*, 8:224.12. On Salm, see W. Madelung, *Religious trends in early Islamic Iran*, Albany 1988, 21; van Ess, *Theologie*, 2:540f.

⁷¹ Ibn Sa'd, *Ṭabaqāt*, 7:2:106.5. Ibn Sa'd's statement is quoted in later sources (Khaṭīb, *Ta'rikh Baghdād*, 9:141.20; Dhahabī, *Siyar*, 9:321.9; Dhahabī, *Ta'rikh al-Islām*, years 191–200, 208.7).

⁷² Šafī al-Dīn Wā'iz-i Balkhī (writing 610/1213f.), *Faḍā'il-i Balkh*, ed. 'A. Ḥabībī, Tehran 1350 sh., 156.9, 157.10; Khaṭīb, *Ta'rikh Baghdād*, 9:141.14, 142.15; Dhahabī, *Siyar*, 9:322.1, 322.5; Dhahabī, *Ta'rikh al-Islām*, years 191–200, 208.14, 209.2; and cf. Ibn Sa'd, *Ṭabaqāt*, 7:2:106.5. Van Ess aptly remarks on Salm's 'Staatsverdrossenheit' (*Theologie*, 2:541), but does not bring out the full menace of his remark about Hārūn: Salm's boast was not that the caliph had earned himself a beating (*ibid.*, 540), but that he – Salm – could, if he so wished, raise 100,000 swords against him.

⁷³ Contrast Athamina, 'The early Murji'a', 124.

and subsequently settled in Baghdad. Hāshim ibn al-Qāsim al-Kinānī (d. 207/823), known as ‘Qayṣar’, belonged to this milieu.⁷⁴ Ibn Ḥanbal (d. 241/855) used to describe him as one of those who command right and forbid wrong.⁷⁵ The transmitter of this remark, Ḥārith ibn Abī Usāma (d. 282/896), also passes on an anecdote that explains how Hāshim came by his nickname. One day Hārūn al-Rashīd’s police-chief went into the baths, leaving instructions not to start the afternoon prayer until he came out. Hāshim, however, took it upon himself to countermand this order. When the chief of police reappeared and was told what had happened, he observed, ‘This is not Hāshim, this is Qayṣar’, likening him to the Byzantine ruler.⁷⁶ Though not the best joke in Islamic history, this remark may have helped to defuse a potentially ugly confrontation.

Most notables were doubtless too enmeshed in local politics, and not sufficiently pious, to make a name for themselves in forbidding wrong. One who perhaps just made the grade was Hishām ibn ‘Abdallāh al-Makhzūmī, a successful Medinese notable and close associate of Hishām ibn ‘Urwa (d. 145/762f.), who was appointed judge of the city thanks to the excellent impression he made on Hārūn al-Rashīd.⁷⁷ Ibn Sa’d states that he commanded right.⁷⁸ No further details are given; at his meeting with Hārūn he did, among other things, admonish him (*wa‘aḏahu*),⁷⁹ but the tone of the occasion was far from abrasive.

A more interesting group are members of notable families who embrace piety in a style that significantly distances them from their social background. One example is ‘Abdallāh ibn ‘Abd al-‘Azīz al-‘Umarī (d. 184/800f.), a descendant of ‘Umar ibn al-Khaṭṭāb (r. 13–23/634–44) who resided in Medina until – characteristically – he left the city in disgust when his worldly brother became governor.⁸⁰ He stood out among his family as the ascetic (*al-‘ābid*).⁸¹ We are told that he used to command right, and in this connection would confront caliphs, who would put up with him.⁸² The reference is to accounts of how he admonished Hārūn

⁷⁴ Ibn Sa’d, *Ṭabaqāt*, 7:2:77.16; Khaṭīb, *Ta’rīkh Baghdād*, 14:65.15.

⁷⁵ *Ibid.*, 64.14; Mizzi, *Tabdhīb*, 30:133.18; Dhahabī, *Tadhkirā*, 359.8; Dhahabī, *Siyar*, 9:547.11; Dhahabī, *Ta’rīkh al-Islām*, years 201–10, 418.8; Ibn Ḥajar, *Tabdhīb*, 11:19.6; and cf. Sam’ānī, *Ansāb*, 11:153.5.

⁷⁶ Khaṭīb, *Ta’rīkh Baghdād*, 14:64.7; Mizzi, *Tabdhīb*, 30:133.9; Dhahabī, *Siyar*, 9:547.2; Dhahabī, *Ta’rīkh al-Islām*, years 201–10, 418.1. The chief of police is named as Naṣr ibn Mālik, which is impossible, since Naṣr had died in 161/777f. (Ṭabarī, *Ta’rīkh*, series III, 491.20). ⁷⁷ Ibn Sa’d, *Ṭabaqāt*, 5:312f. ⁷⁸ *Ibid.*, 313.1. ⁷⁹ *Ibid.*, 313.6.

⁸⁰ Ibn Hibbān, *Mashābir*, 129 no. 1009. In the same style he wrote to Mālik and Ibn Abī Dhī‘b to tell them they were worldlings (Dhahabī, *Siyar*, 8:332.13; Ibn Abī Dhī‘b responded with reciprocal rudeness, Mālik in the manner of a scholar).

⁸¹ Ibn Sa’d, *Ṭabaqāt*, *al-qism al-mutamim*, 221.3, 222.1.

⁸² Muṣ‘ab al-Zubayrī, *Nasab Quraysh*, 359.2 (this passage was drawn to my attention by

al-Rashīd;⁸³ the hapless caliph would respond, ‘Yes, uncle.’⁸⁴ Some opinions transmitted from him about forbidding wrong in general fit well with his uncompromising attitudes. He is in favour of commanding even someone who will not accept it from one, since it serves as a justification (*ma’dhira*), sc. before God.⁸⁵ He likewise condemns failure to command and forbid that is motivated by fear of anyone but God.⁸⁶

Another such case is Shu‘ayb ibn Ḥarb (d. 196/811f.), who like Qayṣar stemmed from the Abnā’.⁸⁷ Despite his background, his lifestyle was very much that of a pietist.⁸⁸ We are told by al-Khaṭīb al-Baghdādī (d. 463/1071) that he was remembered, among other things, for forbidding wrong.⁸⁹ Why he was so remembered is explained by an anecdote which the Khaṭīb goes on to quote.⁹⁰ On the road to Mecca he saw the caliph Hārūn al-Rashīd. He then engaged in a little dialogue with his soul. He told it: ‘It’s your duty (*wajaba ‘alayki*) to command and forbid.’ His soul replied: ‘Don’t do it! This man is a tyrant, and when you command him, he’ll chop off your head!’ But he told it: ‘There’s no choice (*lā budda min dhālīka*).’ So when the caliph was close by, he shouted out: ‘Hey Hārūn! You’ve worn down the community (*umma*), and worn down the beasts (*bahā’im*)!’ Thereupon Hārūn had him seized, and questioned him as to who he was and how he had the temerity to address the caliph by name. Shu‘ayb, in a moment of inspiration, pointed out that he likewise addressed God by name, and was released.

As a final example of this phenomenon we can take the Companion Hishām ibn Ḥakīm ibn Ḥizām (d. 36/656?).⁹¹ Although a rather minor figure, he is the only Companion in whose biography forbidding wrong

Amikam Elad). Cf. Dhahabī, *Ṣiyar*, 8:332.4, describing him as *qawwāl bi’l-ḥaqq, ammār bi’l-‘urf*.⁸³ Dhahabī, *Ṣiyar*, 8:332.11, 332.17, and cf. 333.3.⁸⁴ *Ibid.*, 332.17.

⁸⁵ Ibn Abī ‘l-Dunyā, *Amr*, 119 no. 84, whence Zayn al-Dīn al-Šāliḥī (d. 856/1452), *al-Kanz al-akbar fī ‘l-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, Riyāḍ and Mecca 1997, 128.18 (with implied reference to *ma’dhiratan* in Q7:164); Suyūṭī, *Durr*, 3:139.3 (to Q7:164). For the theme of rebuking only someone who will accept it, see below, 77f.

⁸⁶ Ibn Abī ‘l-Dunyā, *Amr*, 57 no. 14; Ibn Abī ‘l-Dunyā, *Uqūbāt*, 41f. no. 38 (drawn to my attention by Mona Zaki); Abū Nu‘aym, *Ḥilya*, 8:284.19; ‘Abd al-Ghanī al-Maqdisī, *Amr*, 41 no. 50; Dhahabī, *Ṣiyar*, 8:333.15; and cf. the stirring Prophetic tradition he transmits, Abū Nu‘aym, *Ḥilya*, 8:287.11. For the view that fear is a respectable motive for not proceeding, see below, 77.⁸⁷ Ibn Sa’d, *Ṭabaqāt*, 7:2:66.15.

⁸⁸ See M. Jarrar, ‘Biṣr al-Ḥāfi und die Barfüßigkeit im Islam’, *Der Islam*, 71 (1994), 223 no. 1.

⁸⁹ Khaṭīb, *Ta’riḫ Baghdad*, 9:239.15 (I owe this and the next reference to this source to Patricia Crone). This statement is repeated in later biographies (Sam’ānī, *Ansāb*, 12:145.14; Mizzī, *Tahdhīb*, 12:511.5; cf. also Dhahabī, *Ta’riḫ al-Islām*, years 191–200, 225.6).

⁹⁰ Khaṭīb, *Ta’riḫ Baghdad*, 9:239.18.

⁹¹ Ibn Hazm (d. 456/1064) states that he was killed at the Battle of the Camel (*Jamharat ansāb al-‘Arab*, ed. ‘A. M. Hārūn, Cairo 1982, 121.16); Ibn Qutayba (d. 276/889), however, says this of his brother ‘Abdallāh (*Ma‘ārif*, ed. T. ‘Ukāsha, Cairo 1981, 219.19).

is a central theme. Given his background, this is surprising. His father, Ḥakīm ibn Ḥizām (d. 54/673f.), was a Qurashī notable who converted only at the time of the conquest of Mecca in 8/630, though his conversion is said to have been sincere.⁹² Hishām himself became a Muslim at the same time as his father.⁹³ He does not, however, seem to have taken advantage of the opportunities available to someone of such a background: we are told that he had no family,⁹⁴ and there is no indication of his holding office.

His biographers regularly state that Hishām forbade wrong.⁹⁵ He had a reputation for this – we are told that when ‘Umar ibn al-Khaṭṭāb saw a wrong, he would declare that it would not stand so long as he and Hishām remained alive.⁹⁶ The sources further describe how he used to forbid wrong with a group of Syrians: no one had authority over them, and they would wander around selflessly putting things to rights and giving counsel.⁹⁷ Yet when we are given actual examples of his forbidding wrong, he acts alone in the usual fashion.

In each such case, his target is the authorities. One anecdote has him visit a governor in Syria who intends to do something objectionable; he threatens to denounce him to the caliph.⁹⁸ Much more widespread in the sources are the stories that provide the context in which Hishām transmits a Prophetic tradition to the effect that those who torture people in this world

⁹² Ibn ‘Abd al-Barr, *Istī‘āb*, 362f. no. 535; Ibn Hishām, *Sira*, 3–4:493.1. He was one of the *mu‘allaḡa qulūbuhum* (cf. Q9:60). ⁹³ Ibn ‘Abd al-Barr, *Istī‘āb*, 1538.15 (no. 2,681).

⁹⁴ Mālik likened him to a vagrant (*sā’ih*), without a wife or children (*ibid.*, 1539.3; Mizzi, *Tahdhīb*, 30:195.12); Ibn Qutayba likewise says he had no offspring (*Ma‘ārif*, 219.18). On the other hand, Mizzi quotes a report according to which he had eight children (*Tahdhīb*, 30:196.2).

⁹⁵ Zubayr ibn Bakkār (d. 256/870), *Jamharat nasab Quraysh wa-akbbārīhā*, ed. M. M. Shākir, Cairo 1381, 377f. no. 661 (I owe this reference, which first drew my attention to Hishām, to Amikam Elad); Ibn ‘Abd al-Barr, *Istī‘āb*, 1538.15; Ibn ‘Asākir (d. 571/1176), *Ta’rīkh madīnat Dimashq*, apud Ibn Manẓūr (d. 711/1311f.), *Mukhtaṣar Ta’rīkh Dimashq li-Ibn ‘Asākir*, ed. R. al-Nahhās et al., Damascus 1984–90, 27:84.16; ‘Izz al-Dīn Ibn al-Athīr (d. 630/1233), *Usd al-ghāba*, Cairo 1280–6, 5:61.12; Mizzi, *Tahdhīb*, 30:196.2, 196.8; Dhahabī, *Siyar*, 3:52.3.

⁹⁶ Zubayr ibn Bakkār, *Jamhara*, 378 no. 662; Ibn ‘Abd al-Barr, *Istī‘āb*, 1538.16; Ibn ‘Asākir, *Ta’rīkh*, in the *Mukhtaṣar* of Ibn Manẓūr, 27:84.17; Ibn al-Athīr, *Usd al-ghāba*, 5:61.13; Mizzi, *Tahdhīb*, 30:195.10, 195.13; Dhahabī, *Siyar*, 3:52.3.

⁹⁷ Mālik quotes Ibn Shihāb (al-Zuhri) (d. 124/742) as saying: *kāna Hishām ibn Ḥakīm fī nafar min ahl al-Shām ya’murūn bi’l-ma’rūf wa-yanhawṇ ‘an al-munkar laysa li-‘ahad ‘alayhim imāra*; Mālik then adds: *kānū yamshūn fī ‘l-arḡ bi’l-iṣlāḡ wa’l-naṣiḡa yaḥtasibūn* (Ibn ‘Abd al-Barr, *Istī‘āb*, 1538.18). For parallels, see Ibn ‘Asākir, *Ta’rīkh*, in the *Mukhtaṣar* of Ibn Manẓūr, 27:85.3; Mizzi, *Tahdhīb*, 30:195.9, 195.18; Ibn Ḥajar al-‘Asqalānī (d. 852/1449), *al-Iṣāba fī tamyīz al-saḡāba*, ed. ‘A. M. al-Bajāwī, Cairo 1970–2, 6:539.3 (no. 8,969); Ibn Ḥajar, *Tahdhīb*, 11:37.10. Mālik is the source of much of our information on Hishām.

⁹⁸ Ibn ‘Asākir, *Ta’rīkh*, in the *Mukhtaṣar* of Ibn Manẓūr, 27:85.1 (corrupt); Mizzi, *Tahdhīb*, 195.15.

will be tortured by God in the next.⁹⁹ In the standard version, some natives (who may be Nabateans or Copts) are being pressured (usually by being denied shade) to pay their taxes (commonly the poll-tax) somewhere in Syria (be it Ḥimṣ or Palestine); the villain of the story is the local governor, who may be ʿUmayr ibn Saʿd or ʿIyād ibn Ghanm (d. 20/640f.), and the hero is of course Hishām, who steps in and quotes his tradition from the Prophet.¹⁰⁰

Another version, however, offers an intriguing twist that would have warmed the heart of al-Maʾmūn. Here the victim is a prominent non-Muslim who is flogged at the time of the conquest of Dārā in Mesopotamia by the Muslim commander, the same ʿIyād ibn Ghanm. Hishām is very rude to ʿIyād about this, causing a break between the two men. Later Hishām goes to ʿIyād and excuses himself, but repeats his objection by quoting his Prophetic tradition. ʿIyād then responds by quoting a Prophetic tradition of his own, to the effect that anyone rebuking a person in authority (*sulṭān*) should do so in private. He goes on to reproach Hishām for his recklessness in going up against someone established in authority by God (*sulṭān Allāh*), and thereby courting death at his hands.¹⁰¹ It is significant that in this version it is ʿIyād who has the last word; he represents the misgivings of those who are against rebuking those in power, but at the same time ascribes to that power an uncompromising religious legitimacy. Hishām, like the shrouded figure who accosted al-Maʾmūn, has been put in his place.

Despite their background, well-born dropouts such as Hishām have much in common with the second category of my typology, those whose burning religious zeal is not supported by elite social standing. We have

⁹⁹ The tradition also appears without the cover story (Ibn Qānīʿ (d. 351/962), *Muʿjam al-ṣaḥāba*, ed. Ṣ. S. al-Miṣrātī, Medina 1997, 3:193 no. 1169).

¹⁰⁰ Abū Yūsuf, *Kharāj*, 125.10; Abū ʿUbayd al-Qāsim ibn Sallām (d. 224/838f.), *Amwāl*, ed. M. K. Harrās, Cairo 1981, 45 no. 110; Ibn Ḥanbal, *Musnad*, 3:403.20, 403.24, 403.26, 404.7, 404.11, 468.23; Ibn Zanjawayh (d. 251/865f.), *Amwāl*, ed. S. D. Fayyād, Riyād 1986, 164 no. 169; Muslim, *Ṣaḥīḥ*, 2,017f. nos. 117–19; Abū Dāwūd, *Sunan*, 3:433f. no. 3,045; Bayhaqī, *Sunan*, 9:205.19; Ibn ʿAsākir, *Taʾriḫh*, in the *Mukhtaṣar* of Ibn Manẓūr, 27:84.4, 84.9; Ibn al-Athīr, *Uṣd al-ghāba*, 5:62.6; Mizzi, *Tahdhīb*, 30:197.5, 197.16; Ibn Qayyim al-Jawziyya (d. 751/1350), *Aḥkām abl al-dhimma*, ed. Ṣ. al-Ṣāliḥ, Beirut 1983, 34.13. See also M. R. Cohen, *Under crescent and cross: the Jews in the Middle Ages*, Princeton 1994, 69f. The *isnāds* are initially Medinese, but then branch out to Kūfa, Yemen, Egypt and Ḥimṣ.

¹⁰¹ Ibn Hanbal, *Musnad*, 3:403.29 (for *dār* read *Dārā*), whence Ibn al-Athīr, *Uṣd al-ghāba*, 4:165.4. ʿIyād's reproof, but not the earlier part of the story, appears in Abū ʿUbayd, *Amwāl*, 46 no. 113; Ibn ʿAsākir in his entry on Hishām as epitomised by Ibn Manẓūr has only the beginning of the story (*Mukhtaṣar*, 27:84.12), but there are complete versions in his entry on ʿIyād (Ibn ʿAsākir, *Taʾriḫh*, 47:265.18, 266.12, 266.23). ʿIyād took Dārā in the year 19/640 (Ṭabarī, *Taʾriḫh*, series I, 2,505.16, 2,506.3).

already met an example of this type in the goldsmith who met his death through his repeated verbal assaults on Abū Muslim.¹⁰² A similar figure is his contemporary Yazīd ibn Abī Saʿīd al-Naḥwī (d. 131/748f.), likewise a non-Arab from Marw who was killed by Abū Muslim;¹⁰³ according to one source, he met this fate because he commanded him right (*li-amrihi iyyāhu bi'l-ma'rūf*).¹⁰⁴

An earlier example of this type is the Companion Abū Dharr al-Ghifārī (d. 32/652f.), who stemmed from a rather insignificant Ḥijāzī tribe.¹⁰⁵ Late in life he clashed with Mu'āwiya (d. 60/680), then governor of Syria on behalf of 'Uthmān (r. 23–35/644–56), and as a result was sent back to Medina; from there he went on to the village of Rabadha, where he died virtually alone.¹⁰⁶ He appears in accounts of these events as a surly critic of the patrimonial tendencies of the proto-Umayyad state. In this role he can readily be seen as forbidding wrong; thus in his isolation in Rabadha, he tells a visitor that forbidding wrong has left him without a friend.¹⁰⁷

A final example of this type is the Medinese Muḥammad ibn 'Ajlān (d. 148/765f.). He was a non-Arab, a scholar, a pietist, and a slightly ridiculous figure who got himself into trouble by joining the rising of Muḥammad al-Nafs al-Zakiyya in 145/762.¹⁰⁸ Shāfi'ī (d. 204/820) tells us that he used to command right and forbid wrong; what he has in mind is shown by the anecdote he proceeds to relate.¹⁰⁹ The governor of Medina

¹⁰² See above, ch. 1, 3–5.

¹⁰³ Mizzī, *Tahdhīb*, 32:143f.; Madelung, 'The early Murji'a', 34f.; van Ess, *Theologie*, 2:548f.

¹⁰⁴ Ibn Hibbān, *Thiqāt*, 7:622.10, whence Mizzī, *Tahdhīb*, 32:144.9, and Ibn Ḥajar, *Tahdhīb*, 11:332.14, the latter quoted in Madelung, 'The early Murji'a', 35.

¹⁰⁵ See *EI*², art. 'Ghifār' (J. W. Fück).

¹⁰⁶ For an account of these events, see Ṭabarī, *Ta'rikh*, series I, 2,858–62, 2,895–7; also K. 'Athāmina, 'Uqūbat al-nafy fī ṣadr al-Islām wa'l-dawla al-Umawiyya', *al-Karmil*, 5 (1984), 70–3.

¹⁰⁷ Ibn Sa'd, *Ṭabaqāt*, 4:1:174.7; cf. the saying of his quoted in Sam'ānī, *Ansāb*, 10:65.12. As might be expected, such invocations of the duty are also to be found in Shī'ite accounts of Abū Dharr. In an exchange with 'Uthmān, he cites forbidding wrong as his justification for his outspokenness (Majlisī (d. 1110/1699), *Bihār al-anwār*, Tehran 1376–92, 22:417.15). Similarly Mālik al-Ashtar (d. 37/657f.), in an oration at the grave of Abū Dharr, describes him as someone who saw a wrong, and took a stand against it (*ghayyarahu*) with his tongue and his heart; as a result he died in lonely exile (Kashshī (fl. first half of the fourth/tenth century), *Rijāl*, ed. Ḥ. al-Muṣṭafawī, Mashhad 1348 sh., 66.2 (no. 118), whence Majlisī, *Bihār*, 22:400.3).

¹⁰⁸ Van Ess, *Theologie*, 2:678–81. For his pretensions to archery during the rebellion, see Abū 'l-Faraj al-Iṣbahānī (d. 356/967), *Maqātil al-Ṭalibiyyīn*, ed. A. Ṣaqr, Cairo 1949, 281.13; Ṭabarī, *Ta'rikh*, series III, 251.18. For his piety, see Mizzī, *Tahdhīb*, 26:102.2.

¹⁰⁹ Ibn Abī Ḥātim al-Rāzī (d. 327/938), *Ādāb al-Shāfi'ī wa-manāqibuhu*, ed. 'A. 'Abd al-Khāliq, Cairo 1953, 48.5, cited in van Ess, *Theologie*, 2:681 n. 43, together with the parallel to the anecdote in Abū 'l-'Arab al-Tamīmī (d. 333/945), *Mihān*, ed. 'U. S. al-'Uqaylī, Riyāḍ 1984, 422.13.

was once somewhat prolix in his Friday sermon. When he came down from the pulpit, Ibn ‘Ajlān shouted out: ‘Hey you! You should fear God! No long robes and long words on the pulpit of the Prophet!’¹¹⁰ The governor responded by having him jailed. When Ibn Abī Dhi’b came to hear of this, he went to see the governor about it. The latter complained bitterly that Ibn ‘Ajlān could have rebuked him in private, in which case he would have been glad to comply; but instead he had gone out of his way to humiliate him by shouting at him in front of everyone. Ibn Abī Dhi’b then secured Ibn ‘Ajlān’s release, telling the governor that the man was a complete idiot: ‘He sees you eating and wearing things that are forbidden, and all he can criticise you for is your long robes and long words on the pulpit of the Prophet!’ It is evident here that we are among Sunnīs, not Zaydīs: what earns Ibn ‘Ajlān a reputation for forbidding wrong is telling off a governor for prolixity, not rebelling against the state.¹¹¹

Lack of social standing might, of course, seem a sensible reason for not venturing too far into the dangerous game of forbidding wrong to those in power. It is not hard to find people from relatively disadvantaged backgrounds whose behaviour seems much more restrained than that of the zealots we have just considered. Among the Companions, Anas ibn Mālīk (d. 91/709f.) is perhaps an example. Anas was an Anṣārī, but his low status is indicated by the fact that he had been a servant of the Prophet; he settled in Baṣra and lived to a very old age.¹¹² Two anecdotes about him bear on the question of speaking out in the presence of the authorities. In one, he is at the headquarters of Ḥajjāj in Wāsiṭ, and is accosted there by a young member of a delegation which has arrived from Anbār to complain about an injustice perpetrated by their governor. Anas encourages the youth by telling him that he had heard the Prophet say: ‘Command right and forbid wrong as far as you can (*mā ’staṭa’ta*)’¹¹³ – hardly an electrifying tradition. The other anecdote is set at the time of the rebellion of Ibn al-Ash‘ath in 81–2/701. Ḥajjāj insults Anas as an inveterate subversive; Anas leaves without responding to the charge, but subsequently remarks on the fine speech he would have made on this occasion had he not been so concerned about the interests of his offspring after his death.¹¹⁴ This was not a trivial consideration: his children and grandchildren numbered some one hundred.¹¹⁵

¹¹⁰ I follow van Ess in reading *thiyāb* for *bayān*, as in the briefer parallel given by Abū ‘l-‘Arab.

¹¹¹ Cf. below, ch. 10, section 3.

¹¹² *ET*², art. ‘Anas b. Mālīk’ (A. J. Wensinck and J. Robson).

¹¹³ Khatīb, *Ta’rikh Baghdād*, 8:259.5, and cf. *ibid.*, 258.9, 258.16 (I owe these references to Nurit Tsafir). ¹¹⁴ Mizzi, *Tabdhīb*, 3:373.6. ¹¹⁵ *Ibid.*, 364.14.

Two somewhat later examples are Ḥasan al-Baṣrī and Awzāʿī (d. 157/773). Ḥasan was a non-Arab and a bureaucrat.¹¹⁶ We are told that he visited rulers and would criticise them (*yaʿibuhum*), whereas his contemporary Muḥammad ibn Sīrīn (d. 110/729) did neither.¹¹⁷ But despite a dramatic clash with Ḥajjāj,¹¹⁸ the tone of his criticism has been described as by and large not too aggressive.¹¹⁹ Awzāʿī is a similar case. He made his reputation as a scholar, specifically a jurist – he was the founder of a law-school.¹²⁰ The obscurity of his origins,¹²¹ his orphanhood¹²² and his secretarial profession¹²³ indicate that he had no other claim to social standing. We have it on divine authority that he practised the duty: he is said to have had a dream in which two angels took him up to heaven and stood him in front of God, who asked him: ‘Are you my servant ‘Abd al-Raḥmān who commands right and forbids wrong?’ Awzāʿī answered politely, and was returned to earth.¹²⁴ What God had in mind, if it was not simply Awzāʿī’s activity as a jurist, was doubtless the tense moments in his dealings with the authorities. Here pride of place must go to his audience with ‘Abdallāh ibn ‘Alī (d. 147/764f.), the ‘Abbāsīd who conquered Syria, and then proceeded to massacre the Umayyads in unedifying circumstances. Putting the jurist on the spot, ‘Abdallāh demanded to hear Awzāʿī’s opinion as to the legality of this massacre. The terrified Awzāʿī, for all that he had no wish to get himself killed, called to mind his standing in front of God (sc. at the

¹¹⁶ For his life, see *EI*², art. ‘Ḥasan al-Baṣrī’ (H. Ritter), and van Ess, *Theologie*, 2:41–5. In one anecdote he is disparagingly referred to by some Arabs as *hādihā* ‘l-’ilj (Ibn Saʿd, *Ṭabaqāt*, 7:1:119.14, translated in Schaefer, ‘Ḥasan al-Baṣrī’, 56).

¹¹⁷ Fasawī, *Maʿrifat*, 2:64.15 (from the Baṣran Rajāʾ (ibn Ṣubayḥ al-Ḥarashī)). It is unclear whether we are to take it that he criticised rulers to their faces. Cf. also Ibn Saʿd, *Ṭabaqāt*, 7:1:118.19.

¹¹⁸ Schaefer, ‘Ḥasan al-Baṣrī’, 58–62; Ritter, ‘Studien’, 53f., 55; van Ess, *Theologie*, 2:43. The sources do not usually portray the clash as one sought by Ḥasan; for an exception, see Schaefer, ‘Ḥasan al-Baṣrī’, 60, citing Tanūkhī (d. 384/994), *al-Faraj baʿd al-shidda*, Cairo 1955, 48.6. ¹¹⁹ Ritter, ‘Studien’, 50.

¹²⁰ See *EI*², art. ‘Awzāʿī’ (J. Schacht).

¹²¹ Is the Awzāʿī after which he is known to be understood to refer to a place (so, for example, Abū Zurʿa al-Dimashqī (d. 281/894) in Mizzī, *Tahdhīb*, 17:313.3, and Ibn Ḥibbān, *Mashābir*, 180 no. 1425), or to a Yemeni tribal group? If the latter, was he one of them (so Ibn Saʿd, *Ṭabaqāt*, 7:2:185.3), or was it just that he settled among them (so Bukhārī, *Kabīr*, 3:1:326 no. 1035, and Ibn Ḥazm, *Jamhara*, 437.9)? Or was he in fact of Indian war-captive stock (so Abū Zurʿa in Mizzī, *Tahdhīb*, 17:313.3)?

¹²² Dhahabī, *Tahdhīb*, 178.19.

¹²³ Mizzī, *Tahdhīb*, 17:313.5; Dhahabī, *Tahdhīb*, 178.17, 183.2.

¹²⁴ Abū Nuʿaym, *Ḥilya*, 6:142.17; Dhahabī, *Tahdhīb*, 179.16; Dhahabī, *Siyar*, 7:118.13 (all from the Damascene ‘Amr ibn Abī Salama al-Tinnīsī (d. 213/828f.)); also Abū Nuʿaym, *Ḥilya*, 6:142.23 (a variant in which no immediate transmitter from Awzāʿī is given). I owe these references to Nurit Tsafir. The anecdote does not seem to have been widely transmitted: Ibn ‘Asākir, who unlike Dhahabī tells us where he gets his material, knows the story only from Abū Nuʿaym (Ibn ‘Asākir, *Taʾrīkh*, 35:192.19, 193.3).

resurrection), and declared ‘Abdallāh’s action illegal. This predictably infuriated the ‘Abbāsīd, who had Awzā’ī removed from his presence – but sent after him with a gift.¹²⁵ In this anecdote Awzā’ī does not speak out on his own initiative; he simply replies to a question he cannot evade.

There are, of course, cases that are hard to place in terms of the categories I have deployed, and some of these involve people who matter. One is the Kūfan Sufyān al-Thawrī.¹²⁶ As a celebrated traditionist and the founder of a law-school, he enjoyed great respect from posterity.¹²⁷ He was an Arab with a genealogy which our sources are pleased to recount,¹²⁸ and his father is described as a highly respectable person (*aḥṣab al-nās*);¹²⁹ so it seems likely that he enjoyed an elite social status independent of his scholarship, and this may have carried relatively more weight for his contemporaries than it did for posterity. Be this as it may, Sufyān is presented to us as a compulsive forbiddener of wrong.¹³⁰ Nearly all the material concerns his relations with the caliphs;¹³¹ usually his antagonist is al-Mahdī (r. 158–69/775–85), though occasionally it is his predecessor, al-Manṣūr.¹³² The standard theme in accounts of his confrontation with al-Mahdī is the caliph’s luxurious style of pilgrimage, so unlike the frugal practice of ‘Umar ibn al-Khaṭṭāb.¹³³ Sometimes Sufyān can be very rude indeed. One account has him present himself at court and tell al-Manṣūr’s chamberlain, ‘Shut up, Hāmān!’; he goes on to compare the caliph’s viziers unfavourably to Pharaoh’s.¹³⁴ Small wonder that Dhahabī (d. 748/1348) describes him as someone who spoke out with the truth and was zealous in condemning wrong.¹³⁵

¹²⁵ See, for example, Dhahabī, *Tadhkira*, 180.17; and cf. Dhahabī, *Siyar*, 7:123.4 (with Dhahabī’s wholehearted approval, *ibid.*, 125.6); Ibn Abī Ḥātim, *Taqdima*, 212.16.

¹²⁶ On whom see van Ess, *Theologie*, 1:221–8.

¹²⁷ The sources transmit one opinion from him which is very much a jurist’s: if someone does something about the legality of which there is disagreement among the scholars (*ikhṭilāf*), and you happen to hold a view different from his, you are not entitled to forbid him (Ṣāliḥī, *Kanz*, 231.8, where *al-Nawawī* should, of course, be *al-Thawrī*; Abū ‘l-Layth, *Tafsīr*, 1:289.18). ¹²⁸ Van Ess, *Theologie*, 1:222, with references.

¹²⁹ Ibn Ḥazm, *Jamhara*, 201.6.

¹³⁰ Ibn Abī Ḥātim, *Taqdima*, 124.12; Abū Nu‘aym, *Ḥilya*, 7:15.1; Dhahabī, *Siyar*, 7:243.7, 259.16. ¹³¹ For exceptions, see below, notes 151, 165.

¹³² As at Ibn Abī Ḥātim, *Taqdima*, 106.1, 113.10; Abū Nu‘aym, *Ḥilya*, 7:43.2; Dhahabī, *Siyar*, 7:262.19; and Abū ‘l-‘Arab, *Miḥan*, 433.4.

¹³³ Ibn Abī Ḥātim, *Taqdima*, 108.3, 110.20; Abū Nu‘aym, *Ḥilya*, 6:377.8, and the three further versions there following; *ibid.*, 7:44.24; Khaṭīb, *Ta’rīkh Baghdād*, 9:160.2; Dhahabī, *Tadhkira*, 205.19; Dhahabī, *Siyar*, 7:264.15, 265.15 (I owe these references to Nurit Tsafir). Cf. also Ghazzālī, *Ihyā’*, 2:290.24.

¹³⁴ Abū ‘l-‘Arab, *Miḥan*, 433.15, 434.1. The tone of this account is set when Sufyān’s associates refer to the authorities as ‘these damnable people (*ashqiyā*)’ into whose hands the affairs of Muḥammad’s nation have fallen’ (*ibid.*, 433.6).

¹³⁵ Dhahabī, *Tadhkira*, 206.9 (*kāna qawwālan bi’l-ḥaqq shadīd al-inkār*).

Abū Ishāq al-Fazārī (d. 186/802) is another such figure. Likewise an Arab, he was born in Wāsiṭ, grew up in Kūfa, and settled in Mopsuestia in the Arab–Byzantine frontier area; we know that his family at one time enjoyed high status in Kūfa.¹³⁶ We can thus plausibly think of him as a notable, though not as one operating in his home environment. He seems nevertheless to have made a considerable impact on frontier society. ‘Ijlī (d. 261/874f.) tells us that it was he who educated (*addaba*) the frontiersmen (*ahl al-thaghr*); he taught them the normative custom (*sunna*), and used to command and forbid them. Once, he adds, he commanded and forbade someone in authority (*sulṭān*); he received a hundred lashes for this, but Awzā’ī interceded on his behalf.¹³⁷ This information is often repeated in the sources, but never elaborated on.¹³⁸ The rest of the evidence regarding his relations with the rulers of his day is mixed. One source tells us that during his visit to Damascus, those excluded from his circle included anyone who had been frequenting the rulers.¹³⁹ But against this there are several indications that he did not himself adhere to such a standard.¹⁴⁰ One report describes a reasonably civil exchange with the caliph Hārūn al-Rashīd on an occasion when Abū Ishāq went to see him;¹⁴¹ on another such occasion, Abū Ishāq is polite and most anxious to deny a rumour that he had forbidden the wearing of black,¹⁴² the colour of the ‘Abbāsids. The tone of these interactions lacks the harshness that characterises Sufyān al-Thawrī’s remorseless jousts with the caliphs.

In the course of this discussion of the attitudes and practices of early Muslims regarding confrontation with the authorities, the reader may have noticed a curious paradox. Where we have both words and deeds for the same figure, we may find that his bite is worse than his bark. A flagrant

¹³⁶ See M. Muranyi, ‘Das *Kitāb al-Siyar* von Abū Ishāq al-Fazārī’, *Jerusalem Studies in Arabic and Islam*, 6 (1985), 67–70; for the standing of his great-grandfather, see *ibid.*, 67 n. 13.

¹³⁷ ‘Ijlī (d. 261/874f.), *Ta’rīkh al-thiqāt*, in the rearrangement of Haythamī (d. 807/1405), ed. ‘A. Qal‘ajī, Beirut 1984, 54 no. 37.

¹³⁸ Abū ‘l-‘Arab, *Miḥan*, 379.5; Ibn ‘Asākir, *Ta’rīkh*, 7:126.13; Mizzi, *Tahdhīb*, 2:169.9; Dhahabī, *Siyar*, 8:474.25; Dhahabī, *Ta’rīkh al-Islām*, years 181–90, 56.15; and see M. Bonner, *Aristocratic violence and holy war: studies in the Jihad and the Arab–Byzantine frontier*, New Haven 1996, 112f. In the wording of these quotations it is not specified whom Abū Ishāq commanded and forbade while teaching the frontiersmen the *sunna*, and the number of lashes inflicted on him rises to 200.

¹³⁹ Dhahabī, *Tadhkira*, 273.10.

¹⁴⁰ See, in addition to the sources cited in the following notes, Muranyi, ‘Das *Kitāb al-Siyar*’, 69f.

¹⁴¹ Ibn ‘Asākir, *Ta’rīkh*, 7:129.4; Dhahabī, *Tadhkira*, 274.5; Dhahabī, *Siyar*, 8:476.13.

¹⁴² Ibn ‘Asākir, *Ta’rīkh*, 7:130.1; he accepts a substantial sum of money from Hārūn, but subsequently gives it away in alms. We are told that he used to accept money from the state for the benefit of the people of Tarsus (*ibid.*, 129.11).

instance of this is Sufyān al-Thawrī. On the one hand, when asked why he does not go in to rebuke those in power, he responds with a graphic metaphor about the futility of trying to dam up the sea;¹⁴³ yet on the other hand, he himself goes in to the caliph and as good as tells him that he is Pharaoh.¹⁴⁴ Another example is Shuʿayb ibn Ḥarb. We encountered him on the road to Mecca, insulting Hārūn al-Rashīd in a quite gratuitous manner – there is no reference in the anecdote to any present or particular wrong, and the situation was hardly one in which silence implied consent to the wider iniquities of Hārūn’s rule, whatever they might be.¹⁴⁵ And yet the same Shuʿayb responds in these words to a questioner who asks him about forbidding wrong: ‘But for the sword, the whip, and things of that ilk, we would command and forbid. If you are up to it (*in qawīta*), go ahead.’¹⁴⁶ Shuʿayb, we are given to understand here, was not himself robust enough to engage in such activity.

These discrepancies raise the question of what we are to believe: the words, the deeds, both, or neither. Any attempt to answer this question in absolute terms would take us into historiographical issues which are at once too profound and too indeterminate to be worth discussing here. But it may be ventured that, relatively speaking, stirring deeds are more likely to be fictitious than prudent words. Those who live prudently may live longer than the reckless, but they do not generate the kind of events with which a biographer can enthral an audience. The temptation to have Sufyān al-Thawrī confront the caliph face to face and treat him like Pharaoh may well have been irresistible.¹⁴⁷

3. CONFRONTING SOCIETY

Let us now leave the world of caliphs and governors, and descend to less exalted wrongdoers. Here the variety of wrongs to forbid is somewhat greater, though much of it reduces to three themes that will become very familiar in the course of this book: wine, women and song.

Liquor is of course a widespread wrong. An unnamed Companion of the Prophet who had taken to drink in Syria is rebuked by ‘Umar ibn

¹⁴³ See above, note 47.

¹⁴⁴ See above, note 134. An intermediate position is expressed in a variant of the saying of Sufyān’s quoted below, note 242: in this version, he sets out the three qualities – among which is civility – as prerequisites for commanding right to a *ruler* (Abū Nuʿaym, *Hilya*, 6:379.7). ¹⁴⁵ See above, 59. ¹⁴⁶ Khallāl, *Amr*, 86 no. 9.

¹⁴⁷ I have not attempted to examine the accounts of these confrontations closely, but it is striking that Ibn Saʿd, an early source, has a couple of detailed narratives of Sufyān’s life in hiding – the period relevant for our purposes – which make no reference to any such encounters (*Tabaqāt*, 6:258–60).

al-Khaṭṭāb.¹⁴⁸ A jug of wine (*nabīdh*) forms part of a scene of revelry in Kūfa which draws the attention of the Companion ‘Abdallāh ibn Mas‘ūd (d. 32/652f.).¹⁴⁹ In Egypt the neighbours of Dukhayn al-Ḥajrī (d. 100/718f.) are persistent wine-drinkers.¹⁵⁰ Back in Kūfa, the druggists would seem to be in the business of marketing a certain alcoholic drink, and are forbidden to do so by Sufyān al-Thawrī.¹⁵¹

Wrongs related to women include cases in which men engage them in conversation. Such men are rebuked by the Medinese Muḥammad ibn al-Munkadir (d. 130/747f.),¹⁵² while a druggist chatting to a female customer is interrupted on the instructions of the Kūfan Wakī‘ ibn al-Jarrāḥ (d. 196/812).¹⁵³ There are also more serious incidents. A soldier with his hand between the thighs of a woman is confronted by the Kūfan Abū Nu‘aym al-Faḍl ibn Dukayn (d. 219/834),¹⁵⁴ and a man with a knife who had seized a woman is dealt with by the ascetic Bishr al-Ḥāfi (d. 227/841f.).¹⁵⁵

Music appears in a variety of contexts.¹⁵⁶ The jug of wine at the party that provoked the ire of Ibn Mas‘ūd was accompanied by a singer with a mandolin.¹⁵⁷ Music at a wedding causes offence to the Wāsiṭī Aṣḥagh ibn Zayd (d. 159/775f.).¹⁵⁸ The sound of a lute coming from a private house leads to a showdown between the lady of the house and the ascetic Muḥammad ibn Muṣ‘ab (d. 228/843).¹⁵⁹

Other wrongs defy neat categorisation. One theme is the maltreatment of slaves and animals. Thus a man engaged in beating his slave is confronted by the ascetic Dahtham ibn Qurrān (*fl.* mid-second/eighth century),¹⁶⁰ and overloaded beasts of burden find a champion in ‘Umar ibn al-Khaṭṭāb.¹⁶¹

¹⁴⁸ See below, note 245, and ch. 14, note 10.

¹⁴⁹ We have this from one of those present, the Kūfan Zādhān (d. 82/701f.), who subsequently repents and is welcomed by Ibn Mas‘ūd (Bahshal, *Ta’rīkh Wāsiṭ*, 198.1 (I owe this reference to Nurit Tsafirir); Ibn ‘Asākir, *Ta’rīkh*, 18:283.15; Dhahabī, *Siyar*, 4:281.8; Dhahabī, *Ta’rīkh al-Islām*, years 81–100, 65.6).¹⁵⁰ See below, 80f.

¹⁵¹ Ibn Ḥanbal, *‘Ilal*, 2:200 no. 2,003; Ibn Abī Ḥātim, *Tagdima*, 124.10; Abū Nu‘aym, *Ḥilya*, 7:14.24.¹⁵² Ibn Abī ‘l-Dunyā, *Amr*, 89 nos. 42f.

¹⁵³ Khallāl, *Amr*, 129 no. 101.

¹⁵⁴ See below, 70.¹⁵⁵ Ghazzālī, *Iḥyā’*, 2:307.4.

¹⁵⁶ The attitude to music encountered here (and generally in this book) is hostile. An early statement of the contrary view, that music is permitted, is found in Mufaḍḍal ibn Salama (*fl.* later third/ninth century), *Malāḥi*, ed. G. ‘A. Khashaba, Cairo 1984, 8–13. For recent discussions of Islamic attitudes to music, see A. Shiloah, *Music in the world of Islam*, Aldershot 1995, ch. 4 (and see 62–4 on musical instruments); F. Shehadi, *Philosophies of music in medieval Islam*, Leiden 1995, part 2.

¹⁵⁷ Cf. above, note 149, and see below, note 249.

¹⁵⁸ Bahshal, *Ta’rīkh Wāsiṭ*, 213.1 (I owe this reference to Nurit Tsafirir). The sound he hears is that of a drum (*ṭabl*) or a tambourine (*duff*).¹⁵⁹ See below, ch. 5, note 117.

¹⁶⁰ See below, notes 189f.

¹⁶¹ Khallāl, *Amr*, 95 no. 31 (cf. below, ch. 5, note 168); Ibn Abī Zayd al-Qayrawānī (d. 386/996), *al-Jāmi‘ fi ‘l-sunan wa’l-ādāb wa’l-maghāzī wa’l-ta’rīkh*, ed. M. Abū ‘l-Ajfan and ‘U. Baṭṭikh, Beirut and Tunis 1982, 157.9.

Meanwhile the more privileged may be rebuked for their inappropriate gait. A vain Qurashī is reproved for this by the Companion Abū Hurayra (d. 58/677f.).¹⁶² The distinguished general Muhallab ibn Abī Ṣufra (d. 82/702) is dressed down by the Baṣran ascetic Mālik ibn Dīnār (d. 127/744f.) for his arrogant walk.¹⁶³ An unidentified 'Alid is similarly told off by 'Abdallāh ibn 'Abd al-'Azīz al-'Umārī.¹⁶⁴ Sometimes only the context in which the wrongs occur is specified. Those that take place during the pilgrimage provoke an energetic response from Sufyān al-Thawrī, all the way to Mecca and back.¹⁶⁵ Sufyān also speaks of the market as a den of iniquity in which one will see nothing but wrongs.¹⁶⁶ An offence committed in the baths of Medina calls forth the reproof of Ibn al-Munkadir and his companions.¹⁶⁷

Two of these incidents are worth a more detailed examination here for what they tell us about the character of our sources. The first is that just mentioned, the case of Ibn al-Munkadir in the baths. This man came of a distinguished family, and was known for his outstanding piety.¹⁶⁸ The standard version of the story comes from Mālik ibn Anas, a local source.¹⁶⁹ He tells us that when 'Uthmān ibn Ḥayyān al-Murrī was governor of Medina (in 94–6/713–15),¹⁷⁰ Ibn al-Munkadir and his companions reproved (*wa'aḏa*) some men over a matter relating to the baths (*ḥammāmāt*). As ill luck would have it, one of these men was a client of the governor, who

¹⁶² Khallāl, *Amr*, 124f. no. 90.

¹⁶³ Abū Nu'aym, *Ḥilya*, 2:385.14; Dhahabī, *Siyar*, 5:362.17; Dhahabī, *Ta'riḫ al-Islām*, years 121–40, 217.4; Gramlich, *Alte Vorbilder*, 1:100f. This is almost a case of confronting a *sultān* (for Muhallab's career, see *ET*², art. 'Muhallab ibn Abī Ṣufra' (P. Crone)); indeed in a version given by Ibn al-Jawzī, Muhallab is replaced by an unnamed governor of Baṣra (*Ṣifā*, 3:276.15). Mālik ibn Dīnār was a non-Arab who made a living of sorts as a copyist (van Ess, *Theologie*, 2:91–3; Gramlich, *Alte Vorbilder*, 1:59f., 63), so any authority he had must have been religious rather than social. When Muhallab asked him if he knew who he was talking to, Mālik gave him a suitably levelling ascetic reply. He also went to see Bashshār ibn Burd (d. 168/784f.) to reprove him for his love-poetry (van Ess, *Theologie*, 2:7, citing Abū 'l-Faraj al-Iṣbahānī (d. 356/967), *Aghānī*, Cairo 1927–74, 3:170.10; van Ess's reference to *al-amr bi'l-ma'rūf* seems to be his own gloss on this source, though an appropriate one). ¹⁶⁴ Ibn Abī 'l-Dunyā, *Amr*, 93 no. 49.

¹⁶⁵ Dhahabī, *Siyar*, 7:259.7; cf. Abū Nu'aym, *Ḥilya*, 7:13.21.

¹⁶⁶ *Ibid.*, 84.16. Cf. also below, 82, on the female Companion Samrā' bint Nahīk.

¹⁶⁷ See the following paragraph.

¹⁶⁸ Ibn Hibbān, for example, describes him as *min sādāt Quraysh wa-'ubbād ahl al-Madīna wa-qurrā' al-tābi'in* (*Mashāhīr*, 65 no. 435).

¹⁶⁹ Fasawī, *Ma'rifa*, 1:659.14; Abū 'l-'Arab, *Miḥan*, 325.5. Van Ess adduces two shorter forms of this version, but overlooks the fact that they tell the same story (*Theologie*, 2:664 nn. 4, 6, citing Ibn Abī Zayd, *Jāmi'*, 155.13, and Dhahabī, *Ta'riḫ al-Islām*, years 81–100, 261.9).

¹⁷⁰ *Ibid.*, 261.7. For the date at which he was appointed, see also van Ess, *Theologie*, 2:664 n. 6, and for the date of his removal, Khalifa ibn Khayyāt (d. 240/854f.), *Ta'riḫ*, ed. A. D. al-'Umārī, Najaf 1967, 323.14.

accordingly had Ibn al-Munkadir and his companions flogged for their temerity in forbidding wrong. The other version of the story is transmitted from a certain Rabi'a¹⁷¹ by 'Abdallāh ibn Muṣ'ab al-Zubayrī (*fl.* later second/eighth century);¹⁷² again, this is local tradition. Here Rabi'a relates that he and Ibn al-Munkadir went into the baths and there reproved a man (*wa'aznāhu*). This man then went to the governor and complained that there were Khārijites in the baths; the governor accordingly had them whipped, without bothering to inquire more closely into the report.¹⁷³ What is instructive about this story, in each of its versions, is that the narrators display no interest in the actual wrong (doubtless some form of sexual indecency) that Ibn al-Munkadir confronted in the baths of their city; the offence serves only to initiate a chain of events which issues in a collision with the governor. The presumption is thus that wrongdoing and reproof in the baths are not in themselves newsworthy, even locally, and that had the matter not escalated to a political level, we should not have heard of it.

The case of Abū Nu'aym and the lascivious soldier teaches the same lesson. Abū Nu'aym al-Faql ibn Dukayn was a Kūfan traditionist, a non-Arab who kept a shop selling clothing.¹⁷⁴ That he forbade wrong is something we learn only from this anecdote. The background is the anarchic years prior to the entry of al-Ma'mūn into Baghdad (in 204/819). The elders (*shuyūkh*) of the city had taken it upon themselves to maintain law and order, imprisoning and punishing offenders;¹⁷⁵ now that the caliph had arrived on the scene and authority had been restored, al-Ma'mūn proclaimed a ban on forbidding wrong. At this point Abū Nu'aym came to Baghdad, and happened to see the soldier with his hand between the thighs of the woman. He confronted the soldier (*zajarahū*); the latter then took him to the chief of police, and the matter was reported to the caliph, who had Abū Nu'aym brought before him. After he had been given an opportunity to display his scholarly credentials, al-Ma'mūn told him that the ban was not directed at people like him, but only against those who turned right into wrong. Abū Nu'aym responded that this should have been made clear in the proclamation, and was released.¹⁷⁶ Again, the presumption is

¹⁷¹ He is named as Rabi'a ibn 'Uthmān al-Tamīmī. Tamīmī is an obvious error for Taymī. Rabi'a ibn 'Uthmān al-Taymī (d. 154/770f.) is a known Medinese traditionist (see Ibn Hajar, *Tahdhīb*, 3:259f.), but it seems more likely that Rabi'at al-Ra'y (d. 136/753f.) (a Taymī who likewise bore the *kunya* Abū 'Uthmān, *ibid.*, 258f.) is intended here; he was a client of the Āl al-Munkadir (Dhahabī, *Tadhbīr*, 157.9).

¹⁷² For him see Ibn Ḥazm, *Jamhara*, 123.3. ¹⁷³ Abū 'I-ʿArab, *Miḥan*, 326.5.

¹⁷⁴ Mizzi, *Tahdhīb*, 23:197.3. ¹⁷⁵ Cf. below, ch. 5, note 172 and 107.

¹⁷⁶ Khaṭīb, *Ta'rikh Baghdad*, 12:350.2 (cited in E. Tyan, *Histoire de l'organisation judiciaire en pays d'Islam*, Leiden 1960, 619 n. 1); Dhahabī, *Siyar*, 10:150.2; Dhahabī, *Ta'rikh al-*

that had Abū Nuʿaym merely confronted the soldier without the subsequent escalation, we would not have come to know of the incident.

For good measure, we may add here the somewhat similar story of Ḥasan ibn al-Ṣabbāḥ al-Bazzār (d. 249/863), a Baghdādī traditionist of Wāsiṭī origin.¹⁷⁷ We are told that after al-Maʾmūn banned ‘commanding right’, Bazzār was brought before him for violating the ban. He was asked if he ‘commanded right’, and cheekily responded that he did not, but that he did ‘forbid wrong’. The caliph, perhaps not finding this distinction entirely persuasive, had him flogged before releasing him.¹⁷⁸ Here the narrator gives us no indication whatever of the character of the wrong that Bazzār forbade. For biographers, clashes with high authority are intrinsically glamorous; exchanges with the man in the street are not.

So much for the wrongs themselves. How do our subjects react to them, or think one should react to them? Here, as with confronting the state, we find a spectrum both of thought and of practice. There are attitudes that strikingly play up the duty, and attitudes that just as strikingly play it down; in between there is a domain of moderation and qualification. Again, let us begin with the ends of the spectrum.

There is, of course, no shortage of commendations of forbidding wrong.¹⁷⁹ As Ḥudhayfa said, it is a fine thing;¹⁸⁰ someone who fails to do it is as a dead man among the living.¹⁸¹ ʿUmar ibn al-Khaṭṭāb identifies commanding right and forbidding wrong as two of the components that make up Islam.¹⁸² In a long and pious address, Sufyān al-Thawrī at one point exhorts the addressee to forbid wrong and be beloved of God.¹⁸³ But statements made in so general a vein do not commit one to very much.

Islām, years 211–20, 345.7. See also M. Muranyi in his edition of a fragment of the *Jāmiʿ* of ʿAbdallāh ibn Wahb (d. 197/813) under the subtitle *Die Koranwissenschaften*, Wiesbaden 1992, 134f. (but it should be remarked that the Miḥna, which was still in the future, plays no part in the story). Since Faḍl only arrives in Baghdad after al-Maʾmūn, this anecdote does not provide support for the idea that Faḍl had been ‘active in the movement’ of forbidding wrong in Baghdad (cf. I. M. Lapidus, ‘The separation of state and religion in the development of early Islamic society’, *International Journal of Middle East Studies*, 6 (1975), 380), nor does it suggest that he had provided the movement with its theological justification (van Ess, *Theologie*, 2:388, citing Lapidus).

¹⁷⁷ Dhahabī, *Tadhkira*, 476.4.

¹⁷⁸ Khaṭīb, *Taʾrikh Baghdād*, 7:331.10; Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:134.16; Dhahabī, *Tadhkira*, 476.13; Dhahabī, *Mizān*, 1:500.2; Dhahabī, *Siyar*, 12:193.10; Dhahabī, *Taʾrikh al-Islām*, years 241–50, 230.1. For al-Maʾmūn’s ban on forbidding wrong, see further below, ch. 17, notes 21f.

¹⁷⁹ See, in addition to the following references, below, ch. 14, note 6.

¹⁸⁰ See above, note 40.

¹⁸¹ See above, ch. 3, note 28. Ḥudhayfa also has other sayings which play up the duty (see above, ch. 3, note 12, and below, ch. 5, note 173).

¹⁸² See above, ch. 3, note 25. Cf. also Ibn Saʿd, *Ṭabaqāt*, *al-qism al-mutammim*, 164.1.

¹⁸³ Abū Nuʿaym, *Ḥilya*, 7:83.17.

The unpleasant consequences to which forbidding wrong may lead pose a sharper test, and the tendency to embrace such consequences can serve to define the activist end of our spectrum. This tendency finds several expressions in the anecdotal material.¹⁸⁴ Kurz ibn Wabara was a minor Kūfan ascetic who came to Jurjān in 98/716f. and settled there.¹⁸⁵ We learn that when he went out, he would command and forbid, getting himself beaten up to the point that he lost consciousness;¹⁸⁶ clearly he knew what to expect, and was not discouraged by it. After Ibn al-Munkadir was flogged on account of the episode in the baths,¹⁸⁷ the people of Medina responded by gathering around him; he seems to have calmed them by telling them that anyone worth his salt must expect to suffer in this line of activity.¹⁸⁸ When the ascetic Dahtham ibn Qurrān¹⁸⁹ admonished (*wa'aza*) a man who was whipping his slave, the man turned the whip on Dahtham. His companions rushed up in concern, but the pietist was in no hurry to escape from his ordeal. As he pointed out to them, Q31:17 contains an injunction to endure the consequences of commanding right and forbidding wrong, and he asked only to be left to do so.¹⁹⁰ Not everybody was such a glutton for punishment: a certain Ayyūb ibn Khalaf is asked why he does not perform the duty, and answers that he would indeed do so were he like Salm ibn Sālim; for Salm would have endured (*ṣabr kardī*) any unpleasant consequences, whereas he himself could not.¹⁹¹

Opinions encouraging such endurance are transmitted from several of our subjects.¹⁹² 'Umar ibn al-Khaṭṭāb would seem to approve of getting killed in the course of forbidding wrong.¹⁹³ 'Fortunate is the man who does not suffer (*lam yuṣibhu . . . adhā*) in this matter', states the pious 'Umar

¹⁸⁴ In addition to the following references, see below, ch. 14, note 211.

¹⁸⁵ Sahnī (d. 427/1035f.), *Ta'rikh Jurjān*, Hyderabad 1950, 295.11. Most of what we are told about Kurz relates to his piety and asceticism (see the entry on him in Dhahabī, *Siyar*, 6:84–6). I owe my knowledge of him to Amikam Elad.

¹⁸⁶ *Ibid.*, 85.6; Abū Bakr al-Dīnawarī (d. 333/944f.), *al-Mujālasa wa-jawāhir al-'ilm*, Frankfurt am Main 1986, 190.24. ¹⁸⁷ See above, 69f.

¹⁸⁸ Abū 'l-'Arab, *Miḥān*, 326.13 (*lā khayr fī-man lā yu'dhā fī hādihā 'l-amr*).

¹⁸⁹ A native of Yamāma, he flourished (if that is the right word) towards the middle of the second/eighth century (he transmits from Yahyā ibn Abī Kathīr (d. 129/746f.), and to Abū Bakr ibn 'Ayyāsh (d. 193/809), see Mizzi, *Tahdhīb*, 8:496.4; for his provenance, see *ibid.*, 497.12). As a traditionalist he was a disaster (see *ibid.*, 497.3, and the opinions that follow there), but he seems to have done better as a pietist; he rated inclusion in a list of articulate ascetics given by Jāhīz (d. 255/868f.) (*al-Bayān wa'l-tabyīn*, ed. 'A. M. Hārūn, Cairo 1948–50, 1:364.3).

¹⁹⁰ Zubayr ibn Bakkār, *Akbbār*, 523 no. 346; Ibn Abī 'l-Dunyā, *Amr*, 94 no. 51. For the exegesis of Q31:17, see above, ch. 2, 28f.

¹⁹¹ Wā'iz-i Balkhī, *Faḍā'il-i Balkh*, 157.4. For Salm, see above, 57. Compare the saying of Bishr al-Hāfi that only someone who can endure torment should forbid wrong (Abū Nu'aym, *Hilya*, 8:337.12; I owe this reference to Michael Cooperson).

¹⁹² Cf. also below, ch. 11, 256. ¹⁹³ See above, ch. 2, note 77.

ibn ‘Abd al-‘Azīz (d. 101/720),¹⁹⁴ implying that such suffering is a normal accompaniment of the duty. According to Ḥasan al-Baṣrī, Q3:21 shows that those who perform the duty in the face of fear (*‘inda ’l-khawf*) have a standing close to that of the prophets.¹⁹⁵ Ibn Shubruma holds, on the analogy of holy war, that a single man can be expected to take on two men, commanding and forbidding them.¹⁹⁶ ‘Abdallāh ibn ‘Abd al-‘Azīz al-‘Umarī condemns any failure to perform the duty because one is in fear.¹⁹⁷ These last are particularly significant. It is usually unclear whether facing fearful odds is a duty or just an act of virtue; but for ‘Umarī, as for Ibn Shubruma within the limit of his ratio, it is plainly a duty.¹⁹⁸

An obvious practical response to the dangers of forbidding wrong is for a group of men to perform it together. In fact it is not very common for private citizens to do this. In the course of the second civil war, Muḥammad ibn al-Ḥanafīyya (d. 81/700f.) found himself caught between the rival caliphs Ibn al-Zubayr (r. 64–73/684–92) and ‘Abd al-Malik (r. 65–86/685–705); he took the line that he would not give allegiance to either side until he saw what people at large would do.¹⁹⁹ At one point, he and his entourage made their way to Ayla, which was within the territories ruled by ‘Abd al-Malik, who soon told him to leave.²⁰⁰ While in Ayla, according to one account, Ibn al-Ḥanafīyya and his party were treated with great respect; they forbade wrong, and no one was wronged in their vicinity.²⁰¹ But Ibn al-Ḥanafīyya was more than a private citizen, and there is perhaps a suggestion that his forbidding wrong implied a claim to political authority. In any case, the group was clearly not created for the purpose of forbidding wrong.

The same point applies in two cases encountered above. Ibn al-Munkadir in the baths had companions who participated in the reproof he administered, and shared the flogging to which he was then subjected.²⁰² Dahtham’s companions came up as he was being whipped by the enraged slave-owner, and were ready to rescue him.²⁰³ But again, these do not look like groups created for the purpose. In other instances, groups are indeed created for the

¹⁹⁴ Ibn Abī Zayd, *Jāmi‘*, 156.2.

¹⁹⁵ Fakhr al-Dīn al-Rāzī, *Tafsīr*, 7:230.13 (cf. above, ch. 2, note 79).

¹⁹⁶ Abū ‘Ubayd, *Nāsikh*, 101.13; Bukhārī, *Ṣaḥīḥ*, 3:247.18; Wakī’ (d. 306/918), *Akhhbār al-quḍāt*, ed. ‘A. M. al-Marāghī, Cairo 1947–50, 3:123.19 (drawn to my attention by Nurit Tsafir); Jaṣṣās, *Aḥkām*, 2:489.7. The argument goes back to the ratio established in Q8:66 with regard to *jihād*.¹⁹⁷ See above, note 86.

¹⁹⁸ Cf. Shu‘ayb ibn Ḥarb’s view that it was his *duty* to proceed against Hārūn al-Rashīd (see above, 59).¹⁹⁹ See *ET*², art. ‘Muḥammad Ibn al-Ḥanafīyya’ (F. Buhl).

²⁰⁰ Abū Hanīfa al-Dīnawarī (d. 282/895), *al-Akhhbār al-tiwāl*, ed. ‘A. ‘Āmir and J. al-Shayyāl, Cairo 1960, 309.6.²⁰¹ Ibn Sa‘d, *Ṭabaqāt*, 5:79.3.²⁰² See above, 69f.

²⁰³ See above, note 190.

purpose, but on a purely *ad hoc* basis. The ascetic Muḥammad ibn Muṣ‘ab, who was also a highly regarded Koran reciter, would use this skill to great effect to gather a crowd at the door of a house where a lute was being played.²⁰⁴ Also instructive is the story of how ‘Umar ibn Maymūn al-Rammāḥ (d. 171/788) came to leave his native city of Balkh, where he held the office of judge for over twenty years.²⁰⁵ One day he came upon a wrong which he was unable to handle on his own; he accordingly appealed to the neighbours (*hamsāyagān*) for help, but they did not respond to his call. Thereupon he swore an oath not to reside in a city in which he was denied help in forbidding wrong, and set off for Mecca.²⁰⁶ His expectation that he could form such a group in the neighbourhood was presumably not unreasonable.²⁰⁷ But the only case in the material considered in this chapter of a group dedicated to the continuing practice of forbidding wrong is Hishām ibn Ḥakīm’s association of Syrians.²⁰⁸

We can move now to the other end of the spectrum. Here there is a background of attitudes which, while not disparaging the forbidding of wrong, regard its prospects with deep pessimism. Several early authorities predict the future demise or voiding of the duty.²⁰⁹ Others lament that it is no longer performed in this day and age. The Companion ‘Abdallāh ibn ‘Amr ibn al-‘Āṣ (d. 65/684f.), standing in the burnt-out Ka‘ba after the Syrian siege of 64/683,²¹⁰ asks what has become of those who forbade wrong, and threatens divine retribution.²¹¹ Mālik ibn Dīnār bemoans the fact that his generation has succumbed to the love of this world, neither commanding nor forbidding one another.²¹² In two lines of verse, Bishr al-Ḥāfi lugubriously contrasts past generations with the present, and remarks that those who used to take action against every wrong (*al-munkirūna li-kulli amrin*

²⁰⁴ See below, ch. 5, note 117, and cf. above, note 159.

²⁰⁵ Madelung, ‘The early Murji’a’, 36; Khaṭīb, *Ta’rīkh Baghdād*, 11:182.11.

²⁰⁶ Wā‘iz-i Balkhī, *Faḍā’il-i Balkh*, 124.7. ²⁰⁷ Cf. also below, ch. 5, 97f.

²⁰⁸ See above, note 97. For the case of ‘Īsā ibn al-Munkadir (d. after 215/830) in Egypt, see below, ch. 14, note 209.

²⁰⁹ For Ibn Mas‘ūd, see above, ch. 3, notes 38, 43. For Ḥudhayfa, see above, ch. 3, note 38, and Ghazzālī, *Ihyā’*, 2:285.10. For Ibn ‘Umar, see above, ch. 3, notes 39, 44. For Ka‘b al-Aḥbār, see above, ch. 3, note 46. ²¹⁰ For this event, see Khalifa, *Ta’rīkh*, 250.11.

²¹¹ Azraqī (d. c. 250/864), *Akhhār Makka*, ed. R. S. Malhas, Madrid n.d., 1:196.15.

²¹² Abū Nu‘aym, *Ḥilya*, 2:363.10; Bayhaqī, *Shu‘ab*, 6:97 no. 7,596. Ḥasan al-Baṣrī complains rather that today, in contrast to the good old days, people command and forbid without practising what they preach (Abū Nu‘aym, *Ḥilya*, 2:155.6). This need not mean that such people should not command and forbid; on the question whether the sinner is obligated to perform the duty, Ḥasan’s view is that he is so, since otherwise no one would perform it (Zamakhsharī, *Kashshāf*, 1:398.10 (to Q3:104); Ibn Abī ‘l-Ḥadīd (d. 656/1258), *Sharḥ Nahj al-balāgha*, ed. M. A. Ibrāhīm, Cairo 1959–64, 7:170.2; cf. below, ch. 14, notes 20f., on the similar views of Sa‘īd ibn Jubayr (d. 95/714) and Mālik).

munkarī) have departed this life.²¹³ Uways al-Qaranī (*fl.* first/seventh century), an ascetic of Yemeni background who settled in Kūfā,²¹⁴ treats a fellow-tribesman to a bucketful of gloom which includes the following: ‘When a believer undertakes God’s business, he retains no friends. By God, when we command them right and forbid them wrong, they take us as enemies and find accomplices in this among the reprobate, to the point that they have accused me of awful crimes.’ None of this pessimism, however, actually disallows forbidding wrong. Indeed Uways goes on to declare: ‘But by God, this will not stop me undertaking what is right on His behalf!’²¹⁵ Nonetheless, the tone is discouraging.

We can perhaps set against this background a set of responses to wrongdoing which can loosely be described as avoiding the duty (though not, it is to be hoped, evading it). When Aṣṣbagh ibn Zayd took offence at the music he heard at the wedding, he had already sat down at the table; on hearing the music, however, he immediately arose, and could not be prevailed on to stay.²¹⁶ Sufyān al-Thawrī counselled his addressee to be sparing in his visits to the market, since once there he would have a duty to command and forbid.²¹⁷ Some early authorities go so far as to prescribe emigration in the face of general wrongdoing.²¹⁸ Ibrāhīm ibn Adham (d. 161/777f.), a prominent ascetic from Balkh who migrated to Syria,²¹⁹ is asked his opinion of commanding right. His response to his inquirers is that these are times of divine wrath (*azminat al-‘uqūbāt*); better that they should leave the world to the worldly and come to the Holy Land, to a place – the Temple Mount – where they will have no occasion to right any wrong (*lā tunkirūna munkaran*).²²⁰ Another response which might sometimes be described as tantamount to avoidance of the duty is performance in the heart. Ibn Mas‘ūd insists that such performance is acceptable.²²¹ The Medinese Sa‘īd ibn al-Musayyab (d. 94/712f.) holds that one should not gaze upon the henchmen of unjust rulers (*lā tamla’ū a‘yunakum min a‘wān al-ḡalama*) without registering one’s disapproval in one’s heart (*illā*

²¹³ Abū Nu‘aym, *Ḥilya*, 8:344.7; Khaṭīb, *Ta’rīkh Baghdād*, 7:77.10; Ibn ‘Asākir, *Ta’rīkh*, 10:215.8, and the versions there following.

²¹⁴ See, for example, Ibn Ḥibbān, *Mashāhīr*, 100 no. 743.

²¹⁵ Ibn Sa‘d, *Ṭabaqāt*, 6:114.12.

²¹⁶ See above, note 158. For walking out, see also below, ch. 5, note 111.

²¹⁷ See above, note 166.

²¹⁸ See below, ch. 12, note 11 (for Abū Ḥanīfā), ch. 14, note 24 (for Mālik), and ch. 17, note 171 (in general). A schema attributed to Ibn Mas‘ūd by Ghazzālī tends to suggest that such departure is the minimal response to wrongdoing (*Iḥyā’*, 2:284.1).

²¹⁹ *ET*², art. ‘Ibrāhīm b. Adham’ (R. Jones).

²²⁰ Musharraf ibn al-Murajja (fifth/eleventh century), *Faḍā’il Bayt al-Maqdis*, ed. O. Livne-Kafri, Shfāram 1995, 190.6 (drawn to my attention by Amikam Elad).

²²¹ See above, ch. 3, note 51.

bi-inkār min qulūbikum).²²² The captured ‘Alid rebel of Ṭālaqān, Muḥammad ibn al-Qāsim, found himself present at the revels with which the caliph al-Mu‘taṣim (r. 218–27/833–42) celebrated the Nawrūz of 219/834; he wept, and reminded God that he had never let up in his zeal to right this wrong (*taghyīr hādhā wa-inkārihi*).²²³

A much more radical attitude, though an uncommon one, is that in this day and age forbidding wrong is not a duty at all. Such a view is reported from no less an authority than Ḥasan al-Baṣrī. Asked if forbidding wrong is an obligation (*farīḍa*), he responds that it had indeed been so for the Israelites, but that a merciful God, taking into account the weakness of the Muslim community, had made it supererogatory (*nāfila*) for them.²²⁴ Likewise Ibn Shubruma, in his reply to ‘Amr ibn ‘Ubayd,²²⁵ states that commanding right is supererogatory (*nāfila*); those who do not perform it out of weakness have a sufficient excuse, and should not be blamed for this.²²⁶ In the same vein Fuḍayl ibn ‘Iyāḍ, when asked about forbidding

²²² Dhahabī, *Siyar*, 4:232.17. In practice, Sa‘īd seems to have forbidden wrong in more overt ways. Thus he threw pebbles at the young Ḥajjāj to protest at the sloppiness of his prayer (Ibn Sa‘d, *Ṭabaqāt*, 5:95.16; Dhahabī, *Siyar*, 4:226.5); and he told off a governor for marrying a fifth wife before the waiting period of the fourth was over (Ibn Sa‘d, *Ṭabaqāt*, 5:91.2; Dhahabī, *Siyar*, 4:229.9). But the biographers do not characterise him as someone who forbade wrong, although Zuhri as quoted by Ibn Sa‘d ascribes to Sa‘īd straight talk in the presence of rulers and others (*kalām bi-ḥaqq ‘inda ‘l-sulṭān wa-ghayrihim*, *Ṭabaqāt*, 2:2:131.20), and Dhahabī describes him as *qawwāl bi’l-ḥaqq* (*Tadhkira*, 54.9). Van Ess says that he was punished for *al-amr bi’l-ma‘rūf* (*Theologie*, 2:664). However, the source he cites describes only the punishment to which Sa‘īd was subjected, without mentioning the reason for which it was inflicted (Ibn Abī Zayd, *Jāmi‘*, 156.1); and the motif of the hirsute shorts (*tubbān*) which appears here shows that the reference is to the second of the two occasions on which Sa‘īd was flogged for withholding allegiance (Khalifa, *Ta’rikh*, 261.14 (year 68/687f.), 290.10 (year 84/703f.), and numerous other sources).

²²³ Abū ‘l-Faraj, *Maqātil al-Ṭalibiyyin*, 585.11 (I owe this reference to Patricia Crone).

²²⁴ Khallāl, *Amr*, 86 no. 11 (the questioner is his pupil ‘Abd al-Wāhid ibn Zayd (d. after 150/767)). This testimony has not been taken into account in the discussion of Ḥasan’s attitude towards forbidding wrong in the secondary literature (Schaefer, ‘Ḥasan al-Baṣrī’, 50, 57f.; Madelung, *Qāsim*, 16f.; Madelung, ‘Amr be ma‘rūf’, 993a). There is, however, a little work ascribed to Ḥasan in which forbidding wrong is explicitly categorised as a duty. This is his *Arba‘ wa-khamsūn farīda*, for which see Ritter, ‘Studien’, 7f., and Sezgin, *Geschichte*, 1:593 no. 5. The work lists fifty-four duties which the believer must perform daily; ours is the nineteenth (ms. Princeton, Arabic, Third Series, no. 288, f. 201a.3; this volume is a collection of Ḥanafī creeds). Likewise Khallāl has a tradition in which Ḥasan tells his companions to command right, failing which they will become warning examples for others (*Amr*, 100f. no. 44).

²²⁵ Cf. above, note 44. Ibn Shubruma was a Kūfan of Arab stock; he held office as a *qāḍī*, and was on close terms with an ‘Abbāsīd prince (*EP*, art. ‘Ibn Shubruma’ (J.-C. Vadet)).

²²⁶ Khallāl, *Amr*, 92 no. 24 (reading ‘Ubayd for ‘Ubayd Allāh), and the parallel versions in Ibn Abī ‘l-Dunyā, *Amr*, 130 no. 99, and Wakī, *Quḍāt*, 3:92.2. The transmitters include the Kūfans Ḥasan ibn Šālih ibn Ḥayy (d. 167/783f.) and Aḥwaṣ ibn Jawwāb (d. 211/826f.). But contrast the shorter version also given by Wakī in which *nāfila* is replaced by *muftaraḍ* in the first (and here only) line (*ibid.*, 91.19; this version is transmitted by Ibn Shubruma’s nephew, sc. ‘Umāra ibn al-Qa‘qā’, for whom see Ibn Ḥajar,

wrong, replies: ‘This is not a time for speaking [out], but a time for weeping, supplication, humility, and prayer.’²²⁷ On another occasion he is asked about ‘commanding and forbidding’, and does not enjoin it (*lam ya’mur bi-dhālika*).²²⁸ The mood behind this trend is encapsulated in a dialogue between Bishr al-Ḥāfi and a certain Ṣāliḥ ibn Ṣāliḥ ibn ‘Abd al-Karīm:

BISHR: Ṣāliḥ, is your heart strong enough for you to speak out?

ṢĀLIḤ (AFTER A SILENCE): Bishr, do you command right and forbid wrong?

BISHR: No.

ṢĀLIḤ: And why not?

BISHR: If I’d known you would ask that, I wouldn’t have answered you.²²⁹

This leaves us the middle range of the spectrum to examine. It can be characterised in terms of three basic, interrelated principles – or, if this is too strong a word, emphases. The first is that fear is a good reason not to proceed. ‘Alī ibn al-Ḥusayn (d. 94/712) condemns the omission of forbidding wrong unless one is in fear (*illā an yattaqī tuqātan*) – as when one fears a tyrant who may hasten to do one harm.²³⁰ The point is well articulated by Wakīʿ ibn al-Jarrāḥ, who was a jurist as well as a traditionist: one should command and forbid only someone of whose sword or whip one is not in fear.²³¹ Likewise Fuḍayl ibn ‘Iyāḍ, in what for him is a relatively activist vein, holds that a man who sees a wrong should not be silent unless he is in fear.²³²

The second principle is that one should only forbid wrong to someone who can be expected to accept the rebuke. As Awzāʿī, another jurist, put it when asked about forbidding wrong: ‘Command one who will accept it from you (*mur man yaqbal minka*).’²³³ Fuḍayl ibn ‘Iyāḍ used to offer a similar counsel: ‘You should only command one who will accept it from you (*innamā ta’mur man yaqbal minka*)’; he went on to contrast such prudent

Tahdhīb, 7:423f.). Van Ess cites Wakīʿ’s versions, and notes Ibn Shubruma’s view that the duty is supererogatory (*Theologie*, 2:286; and cf. M. Cook, ‘Van Ess’s second volume: testing a sample’, *Bibliotheca Orientalis*, 51 (1994), cols. 25f.).

²²⁷ Ibn Abī ʿl-Dunyā, *Amr*, 134 no. 102.

²²⁸ *Ibid.*, 92.2 (no. 47). Cf. also below, ch. 5, 106.

²²⁹ Khallāl, *Amr*, 91f. no. 22. Contrast the anecdote cited above, note 155, and the saying cited in note 191.

²³⁰ Ibn Sa’d, *Ṭabaqāt*, 5:158.13 (I owe this reference to Etan Kohlberg). The saying is a pastiche of Koranic verses, notably Q3:28, Q11:59, and Q20:45 (a reference to Pharaoh).

²³¹ Khallāl, *Amr*, 89 no. 17; and cf. below, ch. 5, note 124; also ch. 11, note 14. Ibn al-Nadīm (d. 380/990) considers Wakīʿ to be one of the *fuqahāʾ aṣḥāb al-ḥadīth* (*Fihrist*, 314.16, 317.1).

²³² Khallāl, *Amr*, 99 no. 39. The corollary is that he does not like it for a man to engage in commanding and forbidding by standing in a mosque or market rebuking people without actually seeing a wrong.

²³³ Ibn Abī ʿl-Dunyā, *Amr*, 118 no. 83; Khallāl, *Amr*, 124 no. 89.

behaviour with the rashness of reproving someone in authority.²³⁴ Ḥasan al-Baṣrī says that one should command and forbid only a believer who can be expected to listen, or someone whose ignorance can be remedied; but a man who draws a weapon and threatens to use it should be left alone.²³⁵ The link between the first and second principles stands out in the formulations of Fuḍayl and Ḥasan: it is those who will not accept the rebuke whom one most often has reason to fear,²³⁶ though there may of course be cases in which an offender can be expected to be recalcitrant but not dangerous.²³⁷

A corollary of this principle is that if in the event one's rebuke is not accepted, one should desist. Abū Hurayra reproves a young Qurashī for his vain conduct by quoting a Prophetic tradition; but when he later sees the youth persisting in his behaviour, he declines to repeat himself (*lā a'ūd*).²³⁸ The same idea appears in a special context in Ḥasan al-Baṣrī's response to the question whether one should command and forbid one's parents: one should do so only if they accept it, and if not, one should be silent.²³⁹ Other early authorities suggest that two or three unsuccessful rebukes are appropriate before one gives up the attempt.²⁴⁰

The third principle is that one should command and forbid nicely.²⁴¹ Sufyān al-Thawrī states that the duty should be performed with civility (*rafīq*); if the offender does not accept it from you, he continues, concern yourself with your own soul – a course he considers apt in the circumstances of his day.²⁴² There is a clear link here with the second principle, as also in the saying of the Baṣran Sulaymān ibn Ṭarkhān (d. 143/761): 'No man whom you anger will accept [your rebuke] from you.'²⁴³ Ibrāhīm ibn

²³⁴ See above, note 51.

²³⁵ Ibn Waḍḍāḥ, *Bida'*, 230 = 360 no. 61 (from 'Abdallāh ibn Shawdhab (d. 156/772f.), an itinerant Balkhī); Hūd ibn Muḥakkam, *Tafsīr*, 1:305.10 (to Q3:104); Qurtubī, *Jāmi'*, 4:48.8 (to Q3:21). See also Abū Nu'aym, *Dhikr akhbār Iṣbahān*, 1:192.11 (from the Baṣran 'Awf (al-A'rābī) (d. 146/763f.)), where Ḥasan goes on to quote from Q5:105 (cf. above, ch. 2, 30f.; I owe this reference to Nurit Tsafir).

²³⁶ Cf. the views of the extremist 'Abdallāh ibn 'Abd al-'Azīz al-'Umarī: he makes no concession to fear, and at the same time favours commanding even someone who will not accept it from one (see above, notes 85f.).

²³⁷ See below, ch. 14, 359f., for Mālik's view of such cases. ²³⁸ Khallāl, *Amr*, 124f. no. 90.

²³⁹ Ibn Abī 'l-Dunyā, *Amr*, 83 no. 37; 'Abd al-Ghanī al-Maqdisī, *Amr*, 60f. no. 92. For Mālik's view of the question, see below, ch. 14, note 22.

²⁴⁰ See below, ch. 5, 99, for Ibn Ḥanbal, and below, ch. 11, 257f., for Ja'far al-Ṣādiq.

²⁴¹ See also below, ch. 5, notes 92f., and ch. 14, note 10.

²⁴² Ibn Abī Ḥātim, *Taqdima*, 124.15. Likewise he takes the view that to perform the duty one must be civil (*rafīq*), honest ('*adl*) and knowledgeable ('*ālim*) (Khallāl, *Amr*, 96f. no. 32; cf. above, ch. 3, note 59, and below, ch. 5, note 74; also above, note 144). Contrast the harsher tone that appears in his saying that when you forbid wrong, you humiliate the hypocrite (*ibid.*, 113 no. 67), and the incivility of his dealings with the caliphs (see esp. above, note 134).

²⁴³ *Ibid.*, 98 no. 38 (*mā aghḍabta rajulan fa-qabila minka*); and see *ibid.*, 100 no. 43.

Adham goes beyond civility: asked whether, on seeing or hearing that a man is acting wrongly, one should speak to him about it, he answers to the effect that this would be too aggressive (*hādhā tabkīt*); but one should drop a hint.²⁴⁴ Examples of polite rebukes are to be found in the anecdotal material. Hearing of the Companion of the Prophet who had taken to drink in Syria, ‘Umar ibn al-Khaṭṭāb wrote to him simply quoting a Koranic passage which describes God as ‘forgiver of sins, acceptor of penitence’, but also as ‘terrible in retribution’ (Q40:1–3); the man responded positively to the implied rebuke, and repented of his vice.²⁴⁵ Ibn al-Munkadir is polite in reproving a man who is talking to a woman.²⁴⁶ If Ḥasan ibn Šālīḥ ibn Ḥayy wanted to reprove one of his colleagues (*an ya’iz akhan min ikhwānibi*), he would write the rebuke on his tablets, and hand it to him.²⁴⁷

It would probably be a mistake to assume that those who speak in favour of civility are to be understood as categorically opposing harsher measures. Certainly figures who belong firmly in the mainstream appear in the sources as recommending such measures or having recourse to them.²⁴⁸ Ibn Mas‘ūd, on interrupting a group of revellers, pours out a jug of liquor and breaks a mandolin;²⁴⁹ his companions would seize tambourines out of the hands of children and shred them.²⁵⁰ We are not altogether surprised that Ibn ‘Umar, a harsh and inflexible pietist, should break mandolins over the heads of those who play them; but it is arresting to find this practice endorsed by the jurist Wakī‘ ibn al-Jarrāḥ.²⁵¹ Recourse to arms is not, of course, in evidence in these circles.²⁵²

One way of forbidding wrong nicely is to administer the rebuke in private, so that the offender is not subjected to public humiliation.²⁵³ This idea finds a classic formulation in a saying of Umm al-Dardā’ (d. after 81/700): ‘Whoever admonishes his brother in private (*sirran*) graces him (*zānahu*);

²⁴⁴ *Ibid.*, 100 no. 42.

²⁴⁵ For references, see below, ch. 14, note 10; and cf. above, note 148.

²⁴⁶ See above, note 152.

²⁴⁷ Mizzi, *Tahdhīb*, 6:189.13; Ibn Abī ‘l-Dunyā, *Amr*, 98 no. 57. But a parallel has *yughallit* for *ya’iz* (Ibn ‘Adī, *Kāmil*, 720.6); thus he would be correcting a colleague’s faulty transmission of a tradition. ²⁴⁸ Cf. also below, ch. 5, 96, 97.

²⁴⁹ See above, notes 149, 157.

²⁵⁰ See below, ch. 5, note 21; and cf. Ṭabarī (d. 310/923), *Tahdhīb al-āthār*, ed. M. M. Shākir, Cairo 1982, *Musnad ‘Alī ibn Abī Ṭālib*, 240 nos. 377f. (in a section of the work cited in Gilliot, ‘Islam et pouvoir’, 130 n. 6), and Ibn Abī ‘l-Dunyā (d. 281/894), *Dhamm al-malāḥi*, in J. Robson (ed. and trans.), *Tracts on listening to music*, London 1938, 54.9.

²⁵¹ Khallāl, *Amr*, 143 no. 126; cf. below, ch. 5, note 100, and *ibid.*, 146 no. 135. Ibn ‘Umar also destroys the hardware with which the games of backgammon and ‘fourteen’ (*arba‘ ashra*, *shahārdah*) are played (Ibn Sa‘d, *Ṭabaqāt*, 4:1:120.27; Ṭabarī, *Tahdhīb al-āthār*, *Musnad ‘Alī*, 241f. nos. 383–5; for the game of ‘fourteen’, see Shakir’s note, *ibid.*, 241 n. 2). ²⁵² Cf. also below, ch. 5, notes 109f. ²⁵³ Cf. also below, ch. 14, note 13.

whoever does so in public (*‘alāniyatan*) disgraces him (*shānahu*).²⁵⁴ The examples we have encountered above relate to reproving rulers: Ibn ‘Abbās’s counsel that, if you must rebuke a ruler, you should do so in private;²⁵⁵ ‘Iyād ibn Ghanm’s counter-reproof to Hishām ibn Ḥakīm;²⁵⁶ and the governor’s complaint to Ibn Abī Dhi’b that Muḥammad ibn ‘Ajlān had humiliated him by rebuking him in public.²⁵⁷ In this last case, the governor makes the significant comment that, had the rebuke been private, he would have accepted it; in that event, we can assume that Ibn ‘Ajlān would not have been thrown into jail.

4. DEFENDING PRIVACY

Less directly related to the spectrum of views set out above is concern with what we would call respect for privacy. There is no single category that corresponds to this in Islamic terms; rather, there are three basic, mutually supporting principles at work here. The first is the prohibition of spying and prying; this is enshrined in Q49:12.²⁵⁸ The second is the duty not to divulge what would dishonour a Muslim; this is laid down in a Prophetic tradition.²⁵⁹ The third is the sanctity of the home, which rests on Koranic stipulations regarding the way one should enter the homes of others (Q2:189, Q24:27).²⁶⁰ All these values are strongly reflected in the materials we are concerned with in this chapter.

The prohibition of spying comes into play when Ibn Mas‘ūd is asked about a man whose beard drips with wine, and responds that God has forbidden spying (*tajassus*); we can take action, he says, only if the offence is out in the open (*in yazhar lanā shay’*),²⁶¹ which is perhaps to say that we must actually see the man drinking.²⁶²

The duty not to divulge finds expression in an anecdote about the Companion ‘Uqba ibn ‘Āmir al-Juhani (d. 58/677f.), who settled in Egypt and was Mu‘āwiya’s governor there in 44–7/665–7.²⁶³ His secretary, Dukhayn al-Ḥajrī,²⁶⁴ explained to him that he had neighbours who drank wine, and proposed to summon the police (*shurat*) to arrest them.

²⁵⁴ Khallāl, *Amr*, 101 no. 45. ²⁵⁵ See above, note 53. ²⁵⁶ See above, 61.

²⁵⁷ See above, 62f. ²⁵⁸ See above, ch. 3, note 60. ²⁵⁹ See above, ch. 3, note 61.

²⁶⁰ See also below, ch. 14, note 173.

²⁶¹ Abū Dāwūd, *Sunan*, 5:200 no. 4,890; Bayhaqī, *Shu‘ab*, 6:99 no. 7,604; cf. above, ch. 3, note 60. Cf. also below, ch. 5, 99f., and ch. 14, note 202.

²⁶² Cf. also the tradition about God not punishing the common people for the hidden sins of the elite (see above, ch. 3, note 64).

²⁶³ For his biography, see Ibn ‘Abd al-Barr, *Istī‘āb*, 1073f. no. 1824; for his governorship of Egypt, see Kindī (d. 350/961), *Wulāt*, in R. Guest (ed.), *The governors and judges of Egypt*, Leiden and London 1912, 36–8. ²⁶⁴ For whom see Mizzī, *Tahdhīb*, 8:476.

‘Uqba told him not to do this, but rather to counsel and threaten them (verbally). He did so, but to no effect; so he again proposed to call in the police. ‘Uqba once more told him not to, and quoted a tradition he had heard from the Prophet: ‘Whoever keeps hidden what would disgrace a believer (*man satara mu‘minan*), it is as though he had restored a buried baby girl (*maw‘ūda*) to life from her tomb.’²⁶⁵

The sanctity of the home is at the centre of an exchange which takes place in Baṣra between a certain Abū ‘l-Rabī‘ al-Šūfī and Sufyān al-Thawrī regarding the activities of what I take to be the officially appointed censors (*muḥtasiba*):

ABŪ ‘L-RABĪ‘: Abū ‘Abdallāh! When I’m with these censors, we go into the homes of these vile people (*khabiṭhīn*), clambering over the walls.

SUFYĀN: Don’t they have doors?

ABŪ ‘L-RABĪ‘: Well yes, but we rush in so they don’t escape.

Sufyān condemns this misconduct in no uncertain terms, and one of those present unkindly asks: ‘Who let *him* in here?’²⁶⁶

In two of the three examples just given, the actual or potential enemy of privacy is not society but the state. This is typical for the material under examination here.²⁶⁷ Sa‘īd ibn al-Musayyab is asked whether, having come upon a drunkard, one is permitted not to report him to the authorities (*sulṭān*); he tells the questioner that he should rather conceal the man (*usturhu*) under his robe, if he is able to do so.²⁶⁸ Most telling of all is a story told about ‘Umar ibn al-Khaṭṭāb, a caliph who in Sunnī sources has the image of a man with his heart in the right place, but a tendency to go too far. On this occasion he enters a man’s home by climbing over the wall, and catches him engaged in wrongdoing. But the man retorts that, while he had indeed sinned in one respect, ‘Umar had sinned in three: he had spied, whereas God has prohibited this (Q49:12); he had entered through the roof, whereas God has commanded us to enter houses by their doors

²⁶⁵ Khallāl, *Amr*, 108 no. 61 (and cf. *ibid.*, 106f. no. 57); Ibn Ḥanbal, *Musnad*, 4:153.24 (and cf. the parallel versions *ibid.*, 147.27, 158.12; also Abū Dāwūd, *Sunan*, 5:201f. no. 4,892). The tradition makes reference to the pre-Islamic Arabian practice of female infanticide (*wa‘d*). Cf. also above, note 150.

²⁶⁶ Khallāl, *Amr*, 96 no. 32. Sufyān was resident in Baṣra near the end of his life (van Ess, *Theologie*, 1:222), which would place the exchange around the year 160/776f. In giving the name of Sufyān’s interlocutor as Abū ‘l-Rabī‘, I follow the parallel in Ibn Ḥanbal (d. 241/855), *Wara‘*, ed. Z. I. al-Qārūṭ, Beirut 1983, 154.11. The use of the plural *muḥtasiba* is puzzling; van Ess (citing the parallel in the *Wara‘*) takes them to be self-appointed (‘eine Bande religiöser Fanatiker’, *Theologie*, 2:389), but this seems to me on balance to be the less likely alternative.

²⁶⁷ The balance is rather different in the thinking of Ibn Ḥanbal (see below, ch. 5, 99f. and 102f.). ²⁶⁸ Ibn Sa‘īd, *Ṭabaqāt*, 5:99.23, 101.26.

(Q2:189); and he had entered without pronouncing a greeting, whereas God has forbidden us to enter a house without first greeting those who live there (Q24:27). ‘Umar let the man be, merely stipulating that he should repent.²⁶⁹

It is striking that the attitudes manifested in this material are so uniformly in favour of privacy.²⁷⁰ One reason for this is doubtless that the stand in favour of privacy is reinforced by a marked element of hostility and mistrust directed against the state. It is not out of concern for privacy that Sufyān al-Thawrī refuses to have anything to do with al-Mahdī’s suggestion that they join forces, sallying forth into the market to forbid wrong together.²⁷¹ What we have here is rather a characteristic example of Sufyān’s sullenness towards the authorities – his ‘Staatsverdrossenheit’, as van Ess has dubbed it.²⁷²

5. FINAL REMARKS

A final question may have arisen in the reader’s mind on the basis of the material surveyed in this chapter: is it only men who command and forbid?

An early Ḥanbalite source describes a woman called Samrā’ bint Nahīk, who had met the Prophet; she had a whip in her hand with which she chastised people, commanding right and forbidding wrong.²⁷³ A biographer of the Companions devotes a few lines to this woman; what he has to say adds the details that she belonged to the tribe of Asad, lived to a great age, and did her commanding and forbidding in the markets.²⁷⁴ Otherwise nothing is known of her, and it is unclear whether we are to think of her as self-appointed or as holding a public office. There may indeed be some confusion with a relatively well-known woman, Shifā’ al-‘Adawiyya, whom ‘Umar ibn al-Khaṭṭāb put in charge of some aspect of the market.²⁷⁵ We do

²⁶⁹ Ghazzālī, *Iḥyā’*, 2:297.23. For this story see further below, ch. 17, note 85.

²⁷⁰ Contrast the view of Mālik that a neighbour who drinks wine and ignores a rebuke should be reported to the ruler (see below, ch. 14, note 18); cf. also below, ch. 5, notes 162f.

²⁷¹ Ibn Abī Hātim, *Taqdima*, 109.10; Abū Nu‘aym, *Ḥilya*, 7:43.21; Dhahabī, *Siyar*, 7:263.6; cf. also Ibn Abī Hātim, *Taqdima*, 107.17, 110.8; Abū ‘l-Shaykh, *Ṭabaqāt*, 2:114.16 (I owe this reference to Nurit Tsafrir); Abū Nu‘aym, *Ḥilya*, 7:43.10; Zaman, *Religion and politics*, 81 n. 41.

²⁷² Van Ess, *Theologie*, 1:224. Contrast Mālik’s approval of commanding and forbidding at the behest of the ruler (see below, ch. 14, 361). ²⁷³ Khallāl, *Amr*, 131 no. 106.

²⁷⁴ Ibn ‘Abd al-Barr, *Istī‘āb*, 1863 no. 3,386, whence P. Chalmeta Gendron, *El ‘señor del zoco’ en España*, Madrid 1973, 57, 315f., 325. Chalmeta places her activity in the time of the Prophet, but Ibn ‘Abd al-Barr does not specify this.

²⁷⁵ Ibn ‘Abd al-Barr, *Istī‘āb*, 1869.6 (no. 3,398); Ibn Ḥazm, *Jamhara*, 150.6, 156.15 (both sources are cited by Chalmeta, *El ‘señor del zoco’*, 57, 315f., 328;); Mizzi, *Tahdhīb*, 35:207.14; Ibn Hajar, *Iṣāba*, 7:728.2 (no. 11,373).

not, then, find in this material a clear-cut instance of a woman forbidding wrong in a private capacity.

Alongside our lone and ambiguous woman we can nevertheless set a dog. Its owner was Sulaymān ibn Mihrān al-A'mash (d. 148/765), a noted Kūfan Shī'ite traditionist with a reputation for being boorish and disagreeable.²⁷⁶ It was characteristic of his meanness towards students in search of traditions that when they visited him they would be harassed by a vicious dog. One day, however, they found that the dog had died, and eagerly rushed in. On seeing them, A'mash wept and remarked of the dog: 'He who used to command right and forbid wrong has perished!'²⁷⁷

As we have seen, the material surveyed in this chapter is relatively abundant, and its content is rich and sometimes colourful. Although it gives undue prominence to confrontations with rulers and governors, it is much more helpful than Koranic exegesis and tradition in conveying a sense of what the duty of forbidding wrong is about. This material does, however, lack coherence in two ways. First, in social terms it is somewhat eclectic: it does not permit a sustained focus on any one social milieu. Secondly, it is intellectually unsystematic, the residue of ideas which may or may not once have belonged to developed doctrinal systems which we can no longer hope to recover. The first defect will be remedied by turning to the early Ḥanbalites in the next chapter, and the second in due course by taking up the doctrines of the Mu'tazilites.

²⁷⁶ *Encyclopaedia Iranica*, art. 'A'maš' (E. Kohlberg).

²⁷⁷ For this tradition, see Khaṭīb, *Sharaf aṣḥāb al-ḥadīth*, 134 no. 316; and cf. *ibid.*, 131 no. 309, 132 no. 311. I owe these references to Patricia Crone.

PART II



THE ḤANBALITES

CHAPTER 5

IBN ḤANBAL

1. INTRODUCTION

As we have seen, the study of forbidding wrong poses a problem of documentation. It is easy enough to find formal scholastic presentations of the duty; such accounts, as will appear from later chapters, are usually to be found in works on the fundamentals of the faith (*uṣūl al-dīn*) on the Sunnī side, and in handbooks of substantive law on the Shīʿite side. At the same time it is evident from the previous chapter that it is a relatively straightforward (though considerably more time-consuming) task to collect scattered information from biographical and historical sources bearing on the practice of the duty at a variety of times and places – items of information that caught the eye of an author, and particularly incidents which in some measure made political history. None of this material is to be despised. But what cannot be reconstructed from it is a convincing picture of the day-to-day agenda of the duty in a specific historical environment.

Fortunately there is one conspicuous exception to this: the milieu in which Ḥanbalism first took shape. The early Ḥanbalites were people with a taste for the concrete and specific, and a dislike for the theoretical and abstract.¹ Much early Ḥanbalite literature accordingly consists of responsa (where it does not consist simply of Prophetic traditions), and the questions that these address are often presented convincingly as ones that have arisen in everyday life and are currently on people's minds. This is particularly the case with a collection of responsa bearing on the duty of forbidding wrong.

¹ In a characterisation of the Ḥanbalite personality, the Ḥanbalite scholar Ibn ʿAqīl (d. 513/1119) wrote that Ḥanbalites accept only sciences that can be understood literally (*mā ṣāhara min al-ʿulūm*), leaving aside whatever lies beyond them, and in particular the 'obscure sciences' (*al-ʿulūm al-ghāmiḍa*) (quoted in Ibn Rajab (d. 795/1393), *al-Dhayl ʿalā Tabaqāt al-Ḥanābila*, ed. H. Laoust and S. Dahan, Damascus 1951–, 1:184.14, and translated in G. Makdisi, *Ibn ʿAqīl et la résurgence de l'islam traditionaliste au XIe siècle*, Damascus 1963, 479).

The collection in question was made by Abū Bakr al-Khallāl (d. 311/923).² Khallāl made it his life's work to collect the responsa of Ibn Ḥanbal (d. 241/855); he scarcely figures as an authority in his own right.³ The text was published in 1395/1975 in a useful but unscholarly edition.⁴ It contains some 250 traditions, though many, including the last ninety or so, are not directly concerned with forbidding wrong.⁵ Of the 150 or so traditions that do concern us,⁶ about two-thirds contain responsa (or relate opinions or actions) of Ibn Ḥanbal.⁷ The variety of transmitters who appear between Ibn Ḥanbal and Khallāl is considerable.⁸ Here, as else-

² For the work, see Sezgin, *Geschichte*, 1:511f. Sezgin notes a manuscript in the Ṣāḥīḥiyya, Damascus (for this manuscript see M. N. al-Albānī, *al-Muntakhab min makḥḥūṭāt al-ḥadīth* (part of the *Fihriṣ makḥḥūṭāt Dār al-Kutub al-Ṣāḥīḥiyya*), Damascus 1970, 269 no. 956). He identifies the work as a part of Khallāl's *Kitāb al-jāmi'* (though it may rather belong to his *Kitāb al-sunna*).

³ See Z. Aḥmad, 'Abū Bakr al-Khallāl – the compiler of the teachings of Imām Aḥmad b. Ḥanbal', *Islamic Studies*, 9 (1970), and C. Melchert, *The formation of the Sunni schools of law, 9th–10th centuries CE*, Leiden 1997, ch. 7 (with some material from our work, *ibid.*, 151).

⁴ Abū Bakr al-Khallāl (d. 311/923), *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, ed. 'A. A. 'Aṭā, Cairo 1975; I owe my copy to the kindness of John Emerson. (There is also a Beirut reprint of 1986, in which the editor's introduction has been severely pruned; this was drawn to my attention by Amikam Elad, and a copy was obtained for me in Saudi Arabia by Abraham Udovitch.) The author and title of the work are named in the *incipit* (*ibid.*, 82.5). The division into chapters and the chapter headings are presumably Khallāl's; they were taken to be so by Ibn Muḥliḥ (d. 763/1362) (see his *al-Ādāb al-shar'iyya*, Cairo 1348–9, 1:180.15, 317.4, 322.3, quoting the chapter headings found at Khallāl, *Amr*, 114.2, 138.2, and 127.1 respectively). The editor's introduction is long and pious, but only a few pages (*ibid.*, 72–5) are devoted to the work itself. From what he says there, 'Aṭā based his edition on a Cairo University manuscript, which he does not further identify. He knew of the existence of the Damascus manuscript, but does not seem to have used it, and I have not seen it myself. There is also a manuscript in the library of the Hebrew University of Jerusalem to which my attention was drawn by Etan Kohlberg; he was subsequently kind enough to send me a copy. This text (MS AP AR^o 158) runs to twenty-one folios, and bears the date 18 Rabī' al-Ākhir 859/1455 (f. 21a.12); it omits the last chapter of the printed text, ending with no. 236 (in 'Aṭā's numbering). This manuscript was collated with the printed text by Nurit Tsafir in 1989, and I owe to her almost all references given below to the variants of the Jerusalem manuscript (hereafter J). At a late stage in my research, I encountered an earlier edition than 'Aṭā's, to which 'Aṭā makes no reference; this edition, by I. al-Anṣārī, was published in Cairo in 1389/1969 or soon after; it is based on the Ṣāḥīḥiyya manuscript (Khallāl, *Amr*, ed. Anṣārī, 46.2), and likewise omits the last chapter found in the edition of 'Aṭā. I have collated this text for all cases where differences between 'Aṭā's edition and J are adduced below; where it offers a reading, this usually agrees with J (so, for example, the readings noted below, notes 11, 21, 79; an exception is the reading noted below, note 22).

⁵ A good many of these traditions would fit better into a *kitāb al-bida'*, being more concerned with the legal standing of the practices to which they relate than with what, if anything, should be done about them. For this genre, see M. Fierro, 'The treatises against innovations (*kutub al-bida'*)', *Der Islam*, 69 (1992).

⁶ Most of nos. 1–152, together with nos. 162f., 174, 240f.

⁷ Of nos. 1–152, 104 fall into this category, and a further dozen are transmitted by Ibn Ḥanbal from earlier authorities.

⁸ Usually there are either one or two links between them (forty-one and sixty-eight instances respectively), more rarely three or four (six and one instances respectively). Khallāl transmits

where, Khallāl was clearly collecting his material from a large number of sources; in at least three cases we can still locate the traditions in question in the collections from which he must have taken them.⁹ Some relevant responsa not included by Khallāl survive here and there in other sources, and I have freely included these in my pool.¹⁰ Khallāl's work was transmitted in Baghdad into at least the mid-sixth/twelfth century.¹¹

As indicated, much of the interest of the work arises from its character. It is not a systematic account of the duty; indeed there are occasional contradictions between responsa.¹² But what it lacks in systematic coverage it

directly from some forty different authorities; only six of these are cited five times or more. The most frequently cited, Muḥammad ibn Abī Hārūn, appears in twenty *ismāds* (I have not been able to identify this transmitter; he is mentioned with the *laqab* 'al-Warrāq' in Ibn Abī Ya'lā, *Ṭabaqāt*, 1:414.7).

⁹ These cases are as follows. (1) Khallāl cites authoritative sayings or doings of Ibn Ḥanbal nine times with the *ismād* Muḥammad ibn Abī Hārūn from Ishāq (b. Ibrāhīm) (nos. 4, 15, 19, 86, 94, 113, 119f., 139; in no. 113 for 'Abī Ishāq' read 'Ishāq'). All these are to be found (with textual variants) in Ishāq ibn Ibrāhīm ibn Hānī' al-Naysābūrī (d. 275/888f.), *Masā'il al-imām Aḥmad ibn Ḥanbal*, ed. Z. al-Shāwīsh, Beirut and Damascus 1400 (2:173–8 nos. 1949, 1948, 1956, 1950, 1970, 1947, 1951f., 1955 respectively). All, except no. 1970, form a part of the *bāb al-amr wa'l-nahy* (173–5 nos. 1947–60). This chapter contains (alongside three irrelevant traditions) three responsa not taken up by Khallāl (nos. 1953, 1957, 1958); these will be cited in due course. (2) Khallāl cites responsa of Ibn Ḥanbal directly from Abū Dāwūd al-Sijistānī (d. 275/889) on six occasions (nos. 1, 25, 47, 63, 87, 133). All are to be found (with textual variants) in Abū Dāwūd's *Masā'il al-imām Aḥmad*, Beirut n.d. (278.9 with 278.13, 278.15, 278.2, 278.17, 278.6, 279.3 with 279.6 respectively). These too form part of a *bāb fi 'l-amr wa'l-nahy* (*ibid.*, 278–80). The traditions in this chapter from 279.15 on either do not relate to the topic, or are not ascribed to Ibn Ḥanbal, or both; this leaves two relevant responsa which are not taken up by Khallāl (*ibid.*, 279.8 and 279.11), and these too will be discussed in due course. (3) Much (but by no means all) of the material cited by Khallāl from Abū Bakr al-Marrūdhī (d. 275/888) appears in the chapter devoted to *al-amr bi'l-ma'rūf* in Ibn Ḥanbal, *Warā'*, 154–6. There are parallels here to Khallāl's nos. 26f., 21, 51, 32, 130, 114, 123 and 112, in that order; Khallāl has taken up all relevant material in the chapter. By way of contrast to these cases, the sole responsum quoted by Khallāl through Ibn Ḥanbal's son 'Abdallāh (no. 115) does not seem to appear in 'Abdallāh ibn Aḥmad ibn Ḥanbal (d. 290/903), *Masā'il al-imām Aḥmad ibn Ḥanbal*, ed. Z. al-Shāwīsh, Beirut and Damascus 1981; likewise the only responsum that Khallāl quotes through Ibn Ḥanbal's son Šāliḥ (no. 28) does not seem to appear in Šāliḥ ibn Aḥmad ibn Ḥanbal (d. 266/880), *Masā'il al-imām Aḥmad ibn Ḥanbal*, ed. F. Dīn Muḥammad, Delhi 1988 (drawn to my attention by Suliman Bashear). For a monographic study in this literature, see S. A. Spector, *Chapters on marriage and divorce: responses of Ibn Ḥanbal and Ibn Rāḥwayh*, Austin 1993.

¹⁰ Examples are given in the previous note. A good many of our responsa may also be found quoted in later Ḥanbalite sources, such as Ibn Muflīḥ's *Ādāb*; I have given references to such sources only when they have something to contribute to the text or understanding of the responsum.

¹¹ See Khallāl, *Amr*, 81f. The date 501 (*ibid.*, 81.6) is better read 551, as in J (f. 1b.4).

¹² For an example see below, note 147. A brief but more systematic account of the doctrine of Ibn Ḥanbal is offered by a Ḥanbalite scholar of a later epoch, Abū Muḥammad al-Tamīmī (d. 488/1095) (*Muqaddima*, *apud* Ibn Abī Ya'lā, *Ṭabaqāt*, 2:279.20). However, the systematising tendency and technical terminology of this presentation render it suspect as evidence of Ibn Ḥanbal's own doctrine. I shall return to it in a later context (see below, ch. 6, notes 117, 135, 137f., 172).

gains in the richness and informality of its material, and in the directness with which this material seems to reflect the everyday concerns of the early Ḥanbalite community. A typical example may help to convey something of its flavour.¹³ Ibn Ḥanbal is told by a disciple that one of his brethren is suffering greatly on account of the objectionable activities of his neighbours. They do three things: they drink liquor; they play lutes; and they commit offences which are coyly explained as having to do with women. The syndrome, once again, is wine, women and song. The victim, so the disciple reports, proposes to denounce them to the authorities (*sulṭān*). Ibn Ḥanbal disagrees; he should admonish them and forbid them, but the authorities are to be left out of it.

We can best survey this material in terms of three main questions. What are the offences most often encountered? In what contexts are they encountered? And what is to be done about them?

2. VARIETIES OF OFFENCE

The most commonly encountered forms of offence, to judge by the frequency of their occurrence in the responsa, were making music and drinking liquor – in that order. These are followed at some distance by sexual misconduct and a scatter of minor offences. On the whole, the menu is simple and repetitive.

We start, then, with the widespread and ramified offence of making music. There are three offensive instruments which are frequently encountered here: the mandolin (or so I shall translate the term *ṭunbūr*),¹⁴ the drum (*ṭabl*)¹⁵ and the lute (‘*ūd*).¹⁶ The flute (*mizmār*) appears occasionally,¹⁷ and a couple more instruments are mentioned once each.¹⁸ An instrument of a different order which appears quite often is the homely tambourine (*daff*),¹⁹ with or without jingles;²⁰ but attitudes to the tam-

¹³ No. 57. (References in this form in this chapter are to Khallāl, *Amr*, unless otherwise specified.)

¹⁴ Nos. 1, 16, 53, 58, *78, 102, 113–16, 119, 121, 123, 125, *126, 132f., *136, 139f. (An asterisk preceding the number of a tradition indicates that the authority quoted is not Ibn Ḥanbal.) In no. 123 there is also a reference to a small mandolin such as a boy might have. My translations or explanations of terms for musical instruments are based on Lane’s *Arabic-English lexicon*; those as unlettered as I am in musical matters should note that a *ṭunbūr* is not a tambourine. Further information on musical instruments can be found in *ET*², articles ‘Duff’, ‘Mi‘zaf’, ‘Mizmār’ (all by H. G. Farmer) and ‘Malāhī’ (A. Shiloah).

¹⁵ Nos. 1, 53, 70–2, 75, 115, 119, 121, 129f., 139f. In no. 128 Ibn Ḥanbal equates the *ṭabl* with the *kūba* (cf. *Wörterbuch der klassischen arabischen Sprache*, Wiesbaden 1970–, 1:420 b 44). ¹⁶ Nos. 57f., *76, *78, 102, 115f., 121, 124, 132f., 140.

¹⁷ Nos. 70f., 102, and cf. no. *174 (*zammārat qaṣab*).

¹⁸ Viz. the *barbaṭ* or Persian lute (no. *127), and the *mi‘zafā*, perhaps a stringed instrument (no. *129). ¹⁹ Nos. 137–48. Ibn Ḥanbal’s views are to be found in nos. 137–43.

²⁰ From no. 140 it appears that a tambourine may include a bell (*jaras*).

bourine varied,²¹ and Ibn Ḥanbal inclined to lenience.²² We naturally come up against these instruments on occasions when they are in actual use.²³ But they also invite attention when on sale,²⁴ and many traditions are concerned with the appropriate response to the mere sighting of an offensive instrument.²⁵ It was not, of course, essential to possess an instrument in order to commit a musical offence: singing (*ghināʾ*) was one in itself.²⁶

That we hear less of liquor than of music perhaps arises from the fact that it is at least possible to drink quietly – for all that drinking is likely enough to lead to rowdy behaviour,²⁷ or to be accompanied by music.²⁸ Various terms are used for liquor²⁹ and its containers,³⁰ and need not detain us here. The primary offence is of course drinking the liquor.³¹ But it is also

²¹ Extreme hostility marks the stance of the companions of Ibn Masʿūd (d. 32/652f.), who roamed the streets of Kūfa, seizing tambourines out of the hands of girls and children, and ripping them up (nos. 137, 138, 139, 143; cf. above, ch. 4, note 250). But Khālid ibn Maʿdān (d. 104/722f.) allows them at weddings (no. *144; more detail is given in a line omitted by haplography in the printed text, but preserved in J, f. 13b.17). Awzāʾī (d. 157/773) does not exclude their use at festivals (no. *145), the Kūfāns permit them (no. *137), and the Prophet implicitly approves of their use by girls (no. *148).

²² In one tradition Ibn Ḥanbal endorses the view of the companions of Ibn Masʿūd (no. 138), and in another he is uncertain (no. 137). But in the light of a Prophetic tradition, he regards the tambourine more favourably than the drum (in the continuation of no. 138), and we learn here that he does not follow the view of the companions of Ibn Masʿūd (no. 140). He sees no harm in the tambourine provided it is not accompanied by singing (nos. 141, 143, the latter referring to weddings – reading *al-zifāf* with the printed text, rather than *al-zuqāq* with J, f. 13b.13). He considers it desirable that a wedding be made public through the playing of tambourines (ʿAbdallāh ibn Aḥmad, *Masāʾil*, 320 no. 1183; I owe this reference to Susan Spectorisky). In general he is against the destruction of tambourines (nos. 139f.), though he approves of it in a funereal context (nos. 142f.).

²³ See, for example, nos. 53, 57f.

²⁴ No. 16 refers to a mandolin on sale in a Muslim market; no. 129 to the sale of drums, either by itinerant drum-sellers (*ṭabbāla*) or in the markets; no. 130 again refers to the sale of drums in the market.

²⁵ See, for example, nos. 115f., 119, 124. (For the question of concealed musical instruments, see below, note 147.)

²⁶ Nos. 54, 75. Curiously enough, Ibn al-Jawzī (d. 597/1201) tells us that Khallāl himself (together with his pupil ʿAbd al-ʿAzīz ibn Jaʿfar (d. 363/974), who transmits his *Amr*) considered singing to be permitted; he explains this away as referring to ascetic poetry (*Talbīs Iblīs*, Beirut n.d., 255.15). The same information is given about the views of Khallāl and ʿAbd al-ʿAzīz by Ibn Qudāma (d. 620/1223) (*Mughnī*, Cairo 1367, 9:174.21). Ibn Qudāma in turn had a heated disagreement with a younger contemporary who favoured the permissive view, Nāṣih al-Dīn ibn al-Ḥanbalī (d. 634/1236) (Ibn Rajab (d. 795/1393), *al-Dhayl ʿalā Ṭabaqāt al-Ḥanābila*, ed. M. Ḥ. al-Fiqī, Cairo 1952–3, 2:195.8).

²⁷ No. 12 (if we read *yashrab* with the printed text as against *yazlim* with J, f. 2b.9); also Ibn Muflīh, *Ādāb*, 1:218.3. ²⁸ No. 57.

²⁹ We find *nabīdh* (nos. 57, 73, 85, and cf. no. 7), *khamr* (nos. *61, 110f., 122), and *muskir* (nos. 111–13, 117, 120, 134, 139). In some cases the reference to liquor is implicit (e.g. nos. 118, 121).

³⁰ Liquor comes in jars (nos. 85, 112, 117, 120) or skins (nos. 110, 112, 118, 121). The term I translate ‘jar’ is *qinnīna*. I use ‘skin’ for *zīqq* (no. 110) and *qirba* (nos. 112, 118, 121). Note that one cannot know for certain that such a container contains liquor and not something permitted, such as vinegar, date-juice (*dibs*) or milk (nos. 120f.).

³¹ Nos. 12, 57, *61, 73 (but for no. 12, cf. above, note 27).

a target of the duty when made,³² sold,³³ stored,³⁴ and the like. There is no word of any concession to the relatively lenient delimitation of the category of forbidden drinks associated with the Ḥanafīs, though the existence of such views is mentioned.³⁵

Turning to sexual misconduct, what we encounter in these responsa is fairly tame by modern Western standards, as no doubt by those of many of Ibn Ḥanbal's contemporaries.³⁶ The main problem is a domestic one: husbands divorce their wives, perhaps in a fit of temper, and then continue to cohabit with them.³⁷ Occasionally we find men and women associating a little too closely in the public domain. Thus you see a man of bad character with a woman,³⁸ a youth riding behind a woman,³⁹ or a druggist chatting to a female customer.⁴⁰ But the responsum with which we began is the only one in which there is a suggestion of something more flagrant.⁴¹

For the rest, the responsa deal with a miscellaneous collection of wrongs. Slovenliness and other shortcomings in the performance of the ritual prayer (*ṣalāt*) appear several times.⁴² Groups of chess-players may sometimes be encountered⁴³ – one may happen to pass by such a

³² In no. 7, a neighbour makes liquor (*yanbidh*) in a cooking-pot.

³³ In no. 122 a non-Muslim is openly selling liquor in a village, and it may happen that a Muslim buys some. ³⁴ As in no. 85.

³⁵ The permissive Ḥanafī view of *nabidh* is mentioned in our work in nos. *167 and *170. There is also a story recounted elsewhere in which Ibn Ḥanbal is brought face to face with *nabidh* in the home of the traditionist Khalaf ibn Hishām al-Bazzār (d. 229/844), who in this respect at least followed Ḥanafī doctrine (*madhhab al-Kūfyyīn*, cf. Khaṭīb, *Ta'rikh Baghdād*, 8:327.3; Ibn Abī Ya'la, *Ṭabaqāt*, 1:154.19). Ibn Ḥanbal turned his back on the liquor, and conducted his business with Khalaf; when pressed by Khalaf to take a stand on the matter, he responded: 'That's up to you, not me' (*ibid.*, 153.21). I have seen no discussion in the early Ḥanbalite material of the general question that arises here, namely whether one may treat as an offence conduct which is permitted by the school to which the putative offender belongs (cf. above, ch. 4, note 127).

³⁶ Contrast, for example, Jāhīz (d. 255/868f.), *Risālat al-qiyān*, ed. and trans. A. F. L. Beeston, Warminster 1980, §37, §52, §58. ³⁷ Nos. 80–3. ³⁸ No. 95. ³⁹ No. 96.

⁴⁰ No. *101.

⁴¹ See above, note 13. The offence is referred to as *irtikāb al-maḥārim*, glossed as *amr al-nisā'* (no. 57).

⁴² Nos. 36, 47, 86–8; also Abū Dāwūd, *Masā'il*, 279.11. In a long epistle on faulty prayer (Ibn Abī Ya'la, *Ṭabaqāt*, 1:348–80), Ibn Ḥanbal stresses the obligation of the scholars (*ahl al-'ilm wa'l-fiqh*) to practise the duty in this connection (*ibid.*, 373.9, 375.10). In another responsum, Ibn Ḥanbal is asked about praying behind a man who recites the Koran in the *qirā'a* of Ḥamza; he replies that, if the man is likely to listen to you, you should forbid him (Ishāq ibn Ibrāhīm, *Masā'il*, 2:174 no. 1953; for Ibn Ḥanbal's negative view of the *qirā'a* of the Kūfān Ḥamza ibn Ḥabīb al-Zayyāt (d. 156/772f.), later accepted as one of the Seven, see also Ibn Abī Ya'la, *Ṭabaqāt*, 1:146.4, 146.23, 179.3, 229.1, 325.14, and cf. Nöldeke, *Geschichte des Qurāns*, 3:181).

⁴³ Nos. 133, 149–52; also Ajjurī (d. 360/970), *Tahrim al-nard wa'l-shaṭranj wa'l-malāḥī*, ed. M. S. 'U. Idrīs, n.p. 1984, 161.3. (This responsum, in which Ishāq ibn Manṣūr al-Kawsaj (d. 251/865) quotes Ibn Ḥanbal and Ishāq ibn Rāhawayh (d. 238/853) in tandem, clearly derives from the as yet largely unpublished collection of Kawsaj noted in Sezgin, *Geschichte*, 1:509.)

group,⁴⁴ presumably in a public place. Chess-playing, though offensive, is less so than backgammon, which is scarcely met with here;⁴⁵ but with chess as with liquor, we hear nothing of any concession to those who adopt a more lenient view, in this case followers of Shāfiʿī (d. 204/820).⁴⁶ Other offences occasionally referred to are the display of images (*ṣuwar*),⁴⁷ scandalous talk and exchanges of insults,⁴⁸ fighting among boys,⁴⁹ living off (the profits of entertaining people with) a monkey,⁵⁰ depriving one's sisters of their rights of inheritance,⁵¹ engaging in a certain kind of religious singing (*taghbīr*),⁵² wailing for the dead (*niyāḥa*),⁵³ or using frogs and mice as bait (presumably to catch fish).⁵⁴ Ibn Ḥanbal responds to this last item in our catalogue of wrongs with the air of a man who has led too sheltered a life to have experienced the full wickedness of the world.

3. CONTEXTS OF OFFENCES

The contexts in which offences are encountered in the responsa can conveniently be ordered on a continuum from intimate to public.

A few offences take place within the home or family. One responsum deals with the natural reluctance of a man to reprove his kin,⁵⁵ another with the delicate predicament of a man whose mother does not wash or pray properly.⁵⁶ Yet others deal with the performance of the duty against one's father,⁵⁷ or against both parents.⁵⁸ One should speak up if they cultivate vines to make wine; if they pay no attention, one should move out.⁵⁹ Less clearly within the home, and in any case outside the bounds of the

⁴⁴ Nos. 133, 152; Ājurri, *Tahrim*, 161.3.

⁴⁵ Various authorities are adduced against chess in nos. *153–8. Backgammon (*nard*) is encountered in no. 151, and referred to in nos. 152 and *155; also Ājurri, *Tahrim*, 161.3.

⁴⁶ See below, ch. 6, note 151.

⁴⁷ See the responsum quoted in Ibn Qudāma, *Mughnī*, 7:8.4, and cf. Ibn Abī Ya'lā, *Ṭabaqāt*, 1:234.7. ⁴⁸ Nos. 15 (*kalām saw*), 68 (two men call each other *ibn al-zānī*).

⁴⁹ No. 27. ⁵⁰ No. *104, quoting the view of Ishāq ibn Rāhawayh, and cf. no. 105.

⁵¹ No. 84.

⁵² No. 103; on the standing of *taghbīr*, see the views of Ibn Ḥanbal and others in nos. 182–93, and for the term, see Lane, *Lexicon*, 2,223a.

⁵³ No. 162. By contrast, the recitation of the Koran at funerals, initially treated by Ibn Ḥanbal as an offence, is permitted by him when he hears of an authoritative precedent (nos. 240f.; Ibn Abī Ya'lā, *Ṭabaqāt*, 1:221.10). ⁵⁴ Ishāq ibn Ibrāhīm, *Masā'il*, 2:175 no. 1958.

⁵⁵ No. 64.

⁵⁶ Abū Dāwūd, *Masā'il*, 279.11. Even though she refuses to take instruction from her son on the grounds that she is older than he is, he should not cut off relations with her or beat her, but continue to instruct and admonish her politely.

⁵⁷ Ibn Mufliḥ, *Ādāb*, 1:505.4. One should speak without any rudeness, or leave off; a father is not like a stranger (*ajnabī*). ⁵⁸ *Ibid.*, 505.3.

⁵⁹ *Ibid.*, 505.8, from Ishāq ibn Ibrāhīm, *Masā'il*, 2:136 no. 1768.

immediate family, is the lodger or tenant (*sākin*); Ibn Ḥanbal himself explodes at one who continues to cohabit with his divorced wife.⁶⁰

A good many offences take place in the homes of others. Most of the responsa dealing with the offensive activities of one's neighbours presumably fall into this category.⁶¹ Other responsa deal with situations which arise when one has been admitted to someone else's home and comes upon something offensive there.⁶² In yet other cases the sound of music from a house assails one in the street.⁶³

Finally, offences may be encountered directly in public places. In the street (*ṭariq*), we find boys fighting⁶⁴ and brazen neighbours drinking liquor;⁶⁵ and where offences are encountered in passing (or being passed), the location is most likely to be the street.⁶⁶ In the market, people sell musical instruments,⁶⁷ and perhaps liquor.⁶⁸ In the mosque, people fail to pray properly.⁶⁹ An isolated responsum takes us out into the Sawād, the rural hinterland with its non-Muslim population.⁷⁰

What is striking is that none of these contexts, with the exception of the last, necessarily takes us outside what might be called the home range of normal Ḥanbalite life. This is a point to which I shall return.

4. RESPONSES TO OFFENCES

The issues we need to attend to here are who should respond, and how, together with the conditions under which the duty lapses.

As to the question who is to perform the duty, the responsa have rather little to tell us. There are some slight indications regarding the standing of slaves and women. It is implicit in one responsum of Ibn Ḥanbal that a slave is not excluded from the obligation to command and forbid.⁷¹

⁶⁰ No. 81. For the *sākin*, see below, note 221.

⁶¹ Nos. 7, 12, 21, 50f., 53, 57f., *61, 63, 73f., and cf. 72. In no. 7, J places the activity on the neighbour's doorstep (*'alā bāb dārihi*, f. 2a.14). In no. 74 the offence is explicitly located in a neighbour's home (*dār*); in no. 73, however, it is located in the street. That Ḥanbalites live in religiously mixed neighbourhoods is clear from a ruling of Ibn Ḥanbal's on the question whether one should greet (or respond to the greeting of) a Rāfiḍī neighbour (Ibn Abī Ya'lā, *Ṭabaqāt*, 2:14.6). ⁶² See below, notes 139f.

⁶³ Nos. 75, *76, *78. ⁶⁴ No. 27. ⁶⁵ No. 73. ⁶⁶ Nos. 68, 111, 124, 133, 152.

⁶⁷ Nos. 16, 129f.

⁶⁸ One of Khallāl's chapter-headings refers to liquor containers which one passes in the markets (Khallāl, *Amr*, 134.2); but this location is not explicit in the responsa that follow (nos. 110–12).

⁶⁹ No. 87. In other cases of defective prayer (see above, note 42), the location is not specified.

⁷⁰ No. 122 (see below, note 155).

⁷¹ No. 150, where Ibn Ḥanbal tells a slave whose master sends him on errands to a group of chess-players that it is his duty to order them to desist. The slave's question was simply

Another case put to Ibn Ḥanbal concerns the wife of a man who fails to pray; she orders him to do so, but without effect. Ibn Ḥanbal's reply is that she should seek divorce.⁷² There are no references to contemporary women performing the duty in public, but a tradition is quoted about one who did so in early Islamic times with a whip in her hand.⁷³ We may guess that every legally competent (*mukallaf*) Muslim is obligated, but this is nowhere stated.⁷⁴ We might expect that, in some matters at least, the religious scholars would be called upon to play a leading role, but again there is no indication of this in the responsa.⁷⁵

A question that receives much greater attention is how the duty is to be performed. We can conveniently approach the issue through the three modes of performance established by the Prophetic tradition: performance may be with the hand, the tongue or the heart – the last being the minimum compatible with faith.⁷⁶ Let us take them in reverse order.

Performance 'with the heart' is, as might be expected, less than ideal; Ibn Ḥanbal refers to it as an 'easement' (*tashīl*).⁷⁷ But it has, of course, the sanction of authority – that of the Companion Ibn Mas'ūd (d. 32/652f.),⁷⁸ as well as that of the Prophet. What Ibn Ḥanbal tends to say is that he hopes (*arjū*) that such performance will pass muster;⁷⁹ but it would seem that in the absence of contraindications,⁸⁰ some kind of action would be better.⁸¹ There is nothing in the material to show that performance 'with the heart' (*bi'l-qalb*) involves anything more than an

whether he should greet them (for this issue, cf. below, note 82, and Ibn Ḥanbal (d. 241/855), *Zuhd*, Beirut n.d., 275.17).

⁷² Ibn Ḥanbal (d. 241/855), *Aḥkām al-nisā'*, ed. 'A. A. 'Aṭā, Beirut 1986, 62 no. 205.

⁷³ No. *106; the report is transmitted by Ibn Ḥanbal. On the woman in question, Samrā' bint Nahīk, see above, ch. 4, 82.

⁷⁴ Sufyān al-Thawrī (d. 161/778) is quoted for his 'three qualities' saying (no. *32, see above, ch. 4, note 242), but this is presumably to be taken as moralising, not as a legal doctrine restricting the performance of the duty to the civil, honest and knowledgeable.

⁷⁵ Elsewhere Ibn Ḥanbal lays emphasis on the responsibility of the scholars for performing the duty in relation to faulty prayer (see above, note 42).

⁷⁶ The three modes are set out in these terms by Ibn Ḥanbal, though without explicit reference to the tradition, in no. 26. The tradition is nowhere quoted as such by Khallāl, but its wording appears also in no. 109, and partially in no. 19; in no. 18 it is referred to as 'the *ḥadīth* of Abū Sa'īd' (Abū Sa'īd al-Khudrī (d. 74/693) being the Companion who transmits the tradition). The frequent use of *ghayyara* as a term for the performance of the duty irrespective of mode (see, for example, nos. 1, 5, 13) is also likely to derive from this tradition. For a discussion of the tradition, see above, ch. 3, section 1. ⁷⁷ No. 18.

⁷⁸ No. 12. Cf. above, ch. 3, note 51.

⁷⁹ Nos. 13–16, 25. (In no. 16, *bi-qalbihi* has dropped out in J, f. 3a.7.)

⁸⁰ Viz. fear (nos. 12f., 16), impotence (nos. 15, 19, 21), or the ineffectiveness of previous reproofs (no. 21). ⁸¹ No. 25.

unobservable mental act,⁸² so that ‘with the heart’ could just as well be rendered ‘in the heart’.

Yet as the terms ‘command’ and ‘forbid’ suggest, the default mode is performance ‘with the tongue’. A wide variety of locutions are used for this besides ‘command’ (*amara*)⁸³ and ‘forbid’ (*nahā*).⁸⁴ A man may speak to (*qāla li-*) the offender,⁸⁵ exhort him (*wa‘aḏa*),⁸⁶ counsel him (*naṣaḥa*),⁸⁷ censure him (*wabbakha*),⁸⁸ shout at him (*ṣāḥa*),⁸⁹ and so forth.⁹⁰ Occasionally we are given actual words appropriate to the case, as when Ibn Ḥanbal tells a man who is praying sloppily: ‘Hey you, straighten out your back when you bend and prostrate yourself, and pray properly!’⁹¹ Most of this linguistic variation is without doctrinal significance, but there is one principle which bears on one’s choice of words: other things being equal, one should perform the duty in a civil fashion.⁹² Putting a man’s back up by being rude to him is likely to be counterproductive.⁹³ But although in general one should speak politely, there are times when rudeness is in place – when the offender is a flagrant evildoer,⁹⁴ when a neighbour doesn’t stop making liquor when told not to,⁹⁵ or when the neighbours are shameless enough to drink in the street.⁹⁶ According to one text of Khallāl’s responsa, calling a man an evildoer (*fāsiq*) would be an example of speaking rudely.⁹⁷

The final mode, performance ‘with the hand’, covers a considerable range of actions.⁹⁸

⁸² Cutting off relations with offenders is sometimes suggested by Ibn Ḥanbal’s questioners (no. 84, and Abū Dāwūd, *Masā’il*, 279.13; cf. also no. 54); and in one responsum Ibn Ḥanbal states that players of chess and backgammon are not the sort of people to be greeted (Ājurri, *Tahrim*, 161.3; Ishāq ibn Rāhawayh takes the same view, except that if one intends to explain to them the error of their ways, one starts by greeting them, *ibid.*, 161.6). But such responses are not linked to performance ‘with the heart’, as is the case with some Imāmī authorities (see below, ch. 11, notes 81f.).

⁸³ See, for example, nos. 16, 74, 87. In no. 16, we find the specification *ya’mur bi-lisānibi*; the expression *ya’mur bi-l-ma’rūf bi-yadibi* is also possible, see no. 29, and cf. no. 55.

⁸⁴ See, for example, nos. 7, 50, 53.

⁸⁵ See, for example, nos. 64, 85, 87. In nos. 56 and 75, *takallama* is used. Occasionally the message is passed indirectly (nos. 36, 241).

⁸⁶ See, for example, nos. 57, 80, 88, and cf. *tudhakkiruhu ‘llāh* in no. 80. ⁸⁷ No. 84.

⁸⁸ No. 73. ⁸⁹ Nos. 81, 95.

⁹⁰ In no. 19 we find *ghayyarta bi-lisānika*, echoing the diction of the Prophetic tradition.

⁹¹ No. 86; see also no. 240.

⁹² Tactful management (*mudārāt*) and civility (*rifq*), as opposed to rudeness (*ghilṣa*), are normally to be used (no. 33). The tradition that the companions of Ibn Mas‘ūd would approach offenders with a civil ‘easy there . . .’ (*mahlan . . .*) is quoted three times (nos. *34f., *55). For civility, see also nos. 30, *32, 46, and Abū Dāwūd, *Masā’il*, 279.14. Ibrāhīm ibn Adham (d. 161/777f.) recommends a hint (*ta’rīf*) rather than an outright rebuke (*tabkīr*) (no. *42, see above, ch. 4, note 244); another tradition suggests private rather than public exhortation (no. *45, see above, ch. 4, note 254).

⁹³ Nos. *38, *43, 46 (or so I understand this tradition). ⁹⁴ No. 33. ⁹⁵ No. 7.

⁹⁶ No. 73. ⁹⁷ No. 7. But J has *nabbūdh* (f. 2a.15).

⁹⁸ Occasionally the nature of the action is unspecified (nos. 18, 25, 29, 109).

One of the more common is the destruction of offending objects. Thus the regular course of action against musical instruments is to break them.⁹⁹ (But breaking the instrument over the head of its owner, though sanctioned by weighty authority,¹⁰⁰ is not mentioned by Ibn Ḥanbal, and was not his style.) Containers of liquor get similar treatment¹⁰¹ – though occasionally the liquor may be poured out, or otherwise spoilt, without damage to the container itself.¹⁰² Chess-boards may be overturned, or picked up and thrown,¹⁰³ dramatically scattering the pieces.

Another class of actions is directed against the person of the offender. This may involve separating antagonists,¹⁰⁴ as when Ibn Ḥanbal goes out of his way to separate boys who are fighting,¹⁰⁵ or evicting an ex-wife whose former husband is cohabiting with her.¹⁰⁶ It may extend to intimidating offenders,¹⁰⁷ or even beating them.¹⁰⁸ But the level of violence envisaged is low. There is no question of using a sword or other weapon¹⁰⁹ – not even the widely available mud brick – and the only case in which we find Ibn Ḥanbal approving a beating concerns youths who get out of hand.¹¹⁰ In any case, one way to resolve a confrontation with an offence is to remove oneself from the scene. Thus you might be called to a house to wash a dead body, hear a drum, and be unable to break it; so you walk out.¹¹¹

All these forms of action presuppose that the believer is acting alone. He may indeed have no choice; in one case a man hears scandalous talk, but

⁹⁹ See, for example, nos. 113, 115f., 119, 121, 123–5, 129f. (No compensation is payable for the damage, see nos. 132f., 136, 139f.) In all these cases the verb used is *kasara*. There are occasional references to splitting (*shaqqa*), used for a flute (no. *174), and to ripping (*shaqqāqa*, *kharāqa*) in the case of tambourines (nos. *137–9, *143), although tambourines too may be ‘broken’ (*kasara*, nos. 139, 142f.). Such assaults on tambourines do not in general find favour with Ibn Ḥanbal (see above, note 22).

¹⁰⁰ No. *126; see above, ch. 4, note 251.

¹⁰¹ They may be ‘broken’ (*kasara*, nos. 111–13, 121) or ‘split’ (*shaqqa*, no. 110). In no. 112, the verb *kasara* is used indifferently of a jar (*qinnīna*) or a skin (*qirba*); in no. 121 it is used of a skin.

¹⁰² In no. 110, we learn that it is better to ‘undo’ (*ḥalla*) a skin (*ziqq*) of wine, but if one cannot, one should split it. But ‘breaking’ is preferred to pouring out in no. 112, whereas pouring out is approved in no. 122 (and cf. no. 134). One can spoil *nabidh* by throwing into it salt or the like (no. 85).¹⁰³ Nos. 133, 152.

¹⁰⁴ No. 26. The parallel in Ibn Hanbal’s *Wara’* (see above, note 9) is noted by van Ess (*Theologie*, 2:389 n. 18).¹⁰⁵ No. 27.¹⁰⁶ No. 82, and cf. no. 81.

¹⁰⁷ No. 74, and Ibn Mufliḥ, *Ādāb*, 1:218.3 (in the case of a blasphemous drunk).

¹⁰⁸ No. 107.

¹⁰⁹ No. 28. Use of a whip appears only in the tradition about Samrā’ bint Nahīk (no. *106, see above, note 73).

¹¹⁰ No. 107 (*al-fityān yatamarraḍūn* – the chapter-heading adds *bi’l-la’ib*); Ibn Ḥanbal sees no harm in beating them. By contrast, the questioner who in no. 30 asks if a beating (or blows, *ḍarb bi’l-yad*) is appropriate receives the laconic answer ‘civility!’ (*al-rifq*). The mother who will not listen to her son when he tells her to wash and pray properly should not be beaten by him (Abū Dāwūd, *Masā’il*, 279.13, cf. above, note 56). For floggings that ought to be administered by the authorities, see below, note 168.¹¹¹ No. 130.

has no helpers (*aʿwān*) to assist him against the offender.¹¹² But it may be that he is able to enlist the help of a neighbour,¹¹³ or to gather the neighbours and intimidate the offender.¹¹⁴ He should seek the assistance of others against obdurate singers.¹¹⁵ Simply making a fuss may help to gather a crowd, as Ibn Ḥanbal points out with regard to the case of some passers-by who saw singers disporting themselves in an upper room (*ʿullīyya*).¹¹⁶ This technique was also used by the ascetic Muḥammad ibn Muṣʿab (d. 228/843). On hearing the sound of music coming from a house, he would knock at the door and demand the offending instrument in order to break it. If the inmates failed to cooperate, he would sit at the door and recite the Koran till a noisy crowd gathered round, and the inmates had second thoughts.¹¹⁷ One might have expected such commotions to lead to excesses, but there is no indication of this.¹¹⁸

We can now turn to the circumstances in which one should not proceed with the duty. There are three main sources of contraindications: fear for one's own safety; the refusal of the offender to listen; and the demands of privacy.

Fear for one's own safety voids the obligation to perform the duty, other than in the heart. Thus one should not proceed if in peril of one's life,¹¹⁹ if one fears a dangerous drunk,¹²⁰ or if one is up against a wrongdoer of whom one has reason to be afraid;¹²¹ one should take action against the sale of mandolins in the market only if one is not in fear;¹²² and so forth.¹²³ In particular, there is no obligation to proceed against an armed offender.¹²⁴ One should, of course, be prepared to put up with some degree of unpleasantness in the performance of the duty – such as being insulted.¹²⁵ But neither of the two allusions to martyrdom in Khallāl's responsa¹²⁶ relates to a con-

¹¹² No. 15. ¹¹³ No. 109. ¹¹⁴ No. 74. ¹¹⁵ No. 54.

¹¹⁶ No. 75: *laʿalla ʿl-nās kānū yajtamīʿūn*.

¹¹⁷ Nos. *76, *78; cf. above, ch. 4, notes 159, 204. For Muḥammad ibn Muṣʿab, who was highly regarded as a Koran-reciter, see Khaṭīb, *Taʾrikh Baghdād*, 3:279–81; Ibn Abī Yaʿlā, *Tabaqāt*, 1:320f.

¹¹⁸ Contrast the activities of the *muḥtasiba* (see below, note 137).

¹¹⁹ No. 8 (*idhā khashiya ʿalā nafsihi*). In J, this is ascribed to Ishāq ibn Rāhawayh (f. 2a.16).

¹²⁰ No. 12. ¹²¹ No. 13 (*inna minhum man yukhāf minhu*). ¹²² No. 16.

¹²³ The sense of no. 47 seems also to be that fear overrides the duty, in the light of the better text in Abū Dāwūd, *Masāʾil*, 278.3; and cf. also no. *39. Cases where a man is said to be unable to take on an offender, or not strong enough to do so (see, for example, nos. 15, 63), presumably come under the same rubric.

¹²⁴ No. 4 (mentioning sword and cudgel), and no. 5 (by implication, mentioning sword and whip); cf. no. *9 (Shuʿayb ibn Ḥarb (d. 196/811f.), mentioning sword and whip, see above, ch. 4, note 146), and no. *17 (Wakīʿ ibn al-Jarrāḥ (d. 196/812), mentioning sword and whip).

¹²⁵ No. 47 (*yushtam*). See also no. 29, where Ibn Ḥanbal declares the Prophetic tradition that the believer should not court humiliation (see above, ch. 3, note 53) to have no bearing on the performance of the duty.

¹²⁶ See nos. 2 and 3. The first refers to the case of a certain Ibn Marwān (see below, note

temporary context; this kind of heroism, though recollected, is not recommended. Elsewhere we find Ibn Ḥanbal being asked about a man who falls into the hands of Khārijite fanatics (*shurāt*), who demand that he dissociate from ‘Alī (r. 35–40/656–61) and ‘Uthmān (r. 23–35/644–56) or die; his reply is that if they torture and beat him, he should tell them what they want to hear.¹²⁷

What happens if one tells off an offender, but he ignores it? In some cases, this triggers escalation: if he doesn’t listen, speak harshly to him,¹²⁸ pour out his liquor,¹²⁹ take the chess-set and throw it,¹³⁰ gather the neighbours and intimidate him.¹³¹ But in other cases, the refusal of the offender to listen is a signal to leave off. If in the face of repeated expostulations your neighbour seems to be laughing at you, let him alone – you make one, two or three attempts, then give up. What else can you do?¹³² If you pray in the mosque and the people there are not praying properly, talk to them about it, even if they are the majority of those present; but after telling them off two or three times to no effect, you give up.¹³³ In general, if you tell a man off and he won’t listen, or doesn’t stop, leave off.¹³⁴

Finally, the demands of privacy may override the duty.¹³⁵ This severely limits any kind of gate-crashing of people’s homes. It is Ibn Ḥanbal who transmits the dialogue in which Sufyān al-Thawrī (d. 161/778) expresses horror at the activities of what I understand to be the officially appointed censors (*muhtasiba*)¹³⁶ who raid people’s homes, climbing over the walls the better to surprise them.¹³⁷ It is a different matter if one finds oneself in the home of another for a legitimate reason, and there encounters something offensive.¹³⁸ Thus a man who had entered a home on some occasion was temporarily left on his own by the owner, who had gone into the

156). In the second, Ibn Ḥanbal remarks of one Ibn Abī Khālid (who is not further identified) and his courageous act (which is not specified) that ‘he deemed his life of little account’ (*qad hānat ‘alayhi nafsuḥu*); the phrase is also used of Bilāl ibn Rabāḥ (d. c. 20/640) in the context of his persecution at the hands of the pagans of Mecca (see Ḥanbal ibn Ishāq, *Miḥna*, 70.16, 72.8).¹²⁷ Ishāq ibn Ibrāhīm, *Masā’il*, 2:175 no. 1957.

¹²⁸ No. 7. ¹²⁹ No. 122. ¹³⁰ No. 133.

¹³¹ No. 74. Cf. the practice of Muḥammad ibn Muṣ‘ab (nos. *76, *78; see above, note 117).

¹³² No. 21. ¹³³ No. 87. ¹³⁴ Nos. 48, 55. Cf. also nos. 53, 56–8, *69, *89f.

¹³⁵ Of the three major relevant principles (see above, ch. 4, 80), it is only the duty not to divulge (*ṣatr*) that is explicitly articulated here. The Prophetic tradition is quoted by ‘Uqba ibn ‘Āmir (d. 58/677f.) in no. *61 (see above, ch. 4, note 265), and the root *s-t-r* appears also in nos. 114 and 152.

¹³⁶ For the official *muhtasib*, see also below, ch. 17, notes 8f.

¹³⁷ No. *32; see above, ch. 4, 81. Van Ess suggests that later Ḥanbalites may have found authority for entering people’s homes in responsa of Ibn Ḥanbal (*Theologie*, 2:389 n. 21); but those he cites would not support such conduct.

¹³⁸ But note the anecdote cited above, note 35, where Ibn Ḥanbal goes on to say that a man is in charge of his own home, and that it is not for a stranger to intervene (*laysa lil-khārij an yughayyir ‘alā ‘l-dākhil shay’an*, Ibn Abī Ya‘lā, *Ṭabaqāt*, 1:154.6). We should perhaps see this in the context of conflicting legal views, as in the case in point.

house; he saw a jar beside him, opened it, and found it to contain liquor. Ibn Ḥanbal, far from reproving him for prying, told him that he should have thrown salt into it to spoil it.¹³⁹ A similar situation obtains if you are called to a house to wash a corpse, and encounter something offensive there.¹⁴⁰ But in general, there is a presumption against resorting to investigation (*taftīsh*) to discover or confirm offences. Thus if you hear the sound of music, but do not know where it is coming from, it is not your duty to proceed: ‘Do not investigate what is not out in the open (*mā ghāba*).’¹⁴¹ The same principle applies where a man is apparently cohabiting with his ex-wife, but claims to have legally remarried her.¹⁴² Similarly, if you see a jar which you merely suspect to contain liquor, leave it alone and don’t investigate.¹⁴³ An important distinction opposes an offensive object, whether musical or alcoholic, which is out in the open (*makshūf*) to one which is under cover (*mughatṭā*), such as a lute hidden by a garment.¹⁴⁴ An object out in the open should be destroyed.¹⁴⁵ But if it is concealed, most traditions say that it should be left alone,¹⁴⁶ though a few qualify or reverse this liberal view. Thus if you should catch sight of a concealed musical instrument, and it’s clear to you what it is, you should break it.¹⁴⁷ Likewise you should break a concealed liquor container if you know it to contain liquor.¹⁴⁸ On the other hand, if chess-players cover the board, or move it behind them to hide it, you should take no action.¹⁴⁹ But where a man is cohabiting with his ex-wife (other than in the case already mentioned), privacy takes second place to the enormity of the offence. Thus a man in this situation may make a point of asking you not to tell his father-in-law what is going on; but you should tell on him all the same, so that the father-in-law can separate the couple.¹⁵⁰

¹³⁹ No. 85.

¹⁴⁰ Nos. 130, 142, 163. In no. 98 the context is a visit to a sick man (reading *marīḍ* with J (f. 10a.18) for the nonsensical *rabaḍ* of the printed text).

¹⁴¹ No. 71, and similarly no. 70.

¹⁴² No. 80, quoting also the view of Ḥasan al-Baṣrī (d. 110/728).

¹⁴³ No. 117. Contrast his pronouncement in no. 85, where the questioner has already opened the jar (see above, note 139).¹⁴⁴ For this example, see no. 116.

¹⁴⁵ Nos. 111–13, 115, 123f.; Ibn Abī Ya’lā, *Ṭabaqāt*, 1:223.4. Abū Bakr al-Marrūdī describes how he once met a woman who had a mandolin out in the open; he seized it, broke it, and stamped on it (Ibn al-Jawzī (d. 597/1201), *Manāqib al-imām Ahmad ibn Ḥanbal*, ed. M. A. al-Khānjī, Cairo 1349, 285.5).¹⁴⁶ Nos. 111, 113–16, 118.

¹⁴⁷ No. 119. No. 121 states without qualification that a concealed instrument is to be broken. Contrast no. 116, according to which an instrument concealed behind a garment is not to be broken, even if it is clear what it is. Abū Ya’lā ibn al-Farrā’ (d. 458/1066) remarks that the traditions from Ibn Ḥanbal differ on the question whether an offensive object which is concealed is to be broken if one knows what it is; he cites some of our responsa (Abū Ya’lā, *al-Aḥkām al-sultāniyya*, ed. M. Ḥ. al-Fiqī, Cairo 1966, 296.18).

¹⁴⁸ No. 120, and similarly no. 121.¹⁴⁹ No. 152.

¹⁵⁰ No. 83. One can also apparently take action oneself to expel her from the marital home (no. 82).

5. THE STATE

In this picture of the day-to-day performance of the duty among the early Ḥanbalites, two things are conspicuously absent – one implicitly, the other explicitly.

Implicitly absent is any tendency for Ḥanbalites to go looking for trouble in other parts of town. There is no indication that they were attempting to carry out the duty in quarters where the population might have been even less sympathetic to their values. They do not seek out Muʿtazilite preachers to revile and assault, or go raiding the brothels, or interfere in the pleasurable activities of the military and political elite. This is hardly surprising. Ḥanbalites as they appear in these responsa are ill-equipped to confront the immoral majority; they can hardly hope to dominate their own streets, let alone those of others.

Explicitly absent is the state: one seeks neither confrontation nor cooperation with it.

It is made very clear that one does not take the authorities as a target for the performance of the duty, for all that their misdeeds are doubtless frequent and flagrant. As Ibn Ḥanbal puts it, one should not expose oneself to the ruler (*sulṭān*) since ‘his sword is unsheathed’.¹⁵¹ He was once consulted by a fellow-Marwazī, Aḥmad ibn Shabbawayh (d. 229/843), who had arrived in Baghdad with the bold intention of going in to the caliph to ‘command and forbid’ him; he discouraged him on the ground of the risk he would be running.¹⁵² Ibn Ḥanbal himself was urged by his uncle Ishāq ibn Ḥanbal (d. 253/867) to take advantage of his involuntary presence at the court of al-Mutawakkil (r. 232–47/847–61) to go in to the caliph to command and forbid him; he refused.¹⁵³ Ibn Ḥanbal likewise

¹⁵¹ No. 19.

¹⁵² Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:47.21 (*innī akhāf ʿalayka*), quoted in H. Laoust, *La profession de foi d’Ibn Baṭṭa*, Damascus 1958, 53 n. 2 (with the misreading ‘Sibawaih’ for ‘Shabbawayh’). A continuation of the anecdote appears in Ibn Muflīḥ, *Ādāb*, 3:491.13. Here Ibn Ḥanbal refers the zealot to Bishr al-Ḥāfi (d. 227/841f.), who likewise discourages him: he fears that Ibn Shabbawayh would not have the requisite courage (*an takhūnaka nafsuka*), and that even if he did, his getting himself killed might prove to be the cause of the caliph’s going to hell. Ibn Ḥanbal strongly endorses Bishr’s view. This in turn is followed by a related pronouncement of Ibn Ḥanbal (*ibid.*, 492.2); here, however, he defers to the Prophetic tradition on speaking out in the presence of an unjust ruler (see above, ch. 1, note 18) once it is quoted to him.

¹⁵³ Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:112.3 (in the parallel in Ibn Muflīḥ, *Ādāb*, 3:492.6, ‘Ḥanbal’ has to be read in place of ‘Ibrāhīm’). His uncle invokes the example of Ishāq ibn Rāhawayh (d. 238/853), whom he describes as acting in this manner at the Tāhirid court; but Ibn Ḥanbal refuses to recognise his conduct as normative. Ibn Ḥanbal’s view of Ishāq ibn Rāhawayh is normally presented as highly favourable (see, for example, Khaṭīb, *Taʾrīkh Baghdād*, 6:350.8); Ishāq’s relations with ʿAbdallāh ibn Tāhir are likewise presented as good, not to say affable (see, for example, *ibid.*, 348.2, 353.13.)

quotes Sufyān al-Thawrī's rhetorical question: 'When the sea overflows, who can dam it up?'¹⁵⁴ The style is not Ibn Ḥanbal's, but the sentiment is his. In more prosaic tones, one of our responsa envisages a situation in which you encounter a Jewish or Christian vintner plying his trade openly, and with the knowledge of the authorities, in a village of the Sawād; if the authorities are indeed conniving at the offence, you have no reason to expose yourself to risk.¹⁵⁵ Only one tradition suggests that martyrdom might appropriately be incurred in carrying out the duty in the face of official hostility,¹⁵⁶ and armed insurrection is clearly out of the question.¹⁵⁷ It is not just that God has imposed a duty of obedience to the ruler. The state is much bigger than you are, and very dangerous; so you had best keep out of its way.

Equally one does not seek to enlist the ruler (*sulṭān*)¹⁵⁸ in the performance of the duty.¹⁵⁹ Ibn Ḥanbal repeatedly disapproves of such action,¹⁶⁰

¹⁵⁴ No. *20 (see above, ch. 4, note 47). Early Ḥanbalite sources transmit advice to the same effect from Ibn 'Abbās (d. 68/687f.) (see above, ch. 4, note 52) and Maymūn ibn Mihrān (d. 117/735f.) (see above, ch. 4, note 57).

¹⁵⁵ No. 122. (For *laysa* read *fa-aysh* with J, f. 12a.13.) Note, however, that the chapter-heading immediately preceding this tradition puts a different construction on the situation: one is not obliged to act when one knows that the ruler will do so (Khallāl, *Amr*, 141.2).

¹⁵⁶ Ibn Ḥanbal approves the conduct of a certain Ibn Marwān who was crucified (*ṣulība*) in performing the duty (no. 2). In Anṣārī's edition of the *Amr*, his name appears as Muḥammad ibn Marwān (Khallāl, *Amr*, ed. Anṣārī, 3.16), and this is supported by the citation in Abū Ya'lā, *Amr*, f. 102b.21. I am unable to identify him. In J we find a variant text of no. 1, in which Ibn Ḥanbal is asked whether a man may expect to be rewarded if he meets with something unpleasant at the hands of the authorities when he is acting against music-making; the answer is that he does indeed earn merit (f. 1b.14). This text has the support of the parallel in Abū Dāwūd, *Masā'il*, 278.13.

¹⁵⁷ A poem of 'Abdallāh ibn Shubruma (d. 144/761f.) is quoted in which he warns that the duty is not to be performed by unsheathing one's sword against the rulers (*a'imma*) (no. *24; see above, ch. 4, notes 44, 226). A reply of Ḥudhayfā ibn al-Yamān (d. 36/656f.) on forbidding wrong, in which he condemns taking up arms against the ruler, is quoted in an early Ḥanbalite source (Ḥanbal, *Miḥna*, 99.3; see above, ch. 4, note 40).

¹⁵⁸ Terms other than *sulṭān* appear occasionally. In one case (no. 75) passers-by inform the *ṣāhib al-khabar* (the local eyes and ears of the ruler, see R. Dozy, *Supplément aux dictionnaires arabes*, Leiden 1881, 1:347f.). In the case of the village vintner in the Sawād (no. 122), the governor (*āmīl*) is mentioned alongside the *sulṭān*. In an anecdote about the Egyptian Companion 'Uqba ibn 'Āmir, the talk is of calling in the police (*shurāt*, no. *61; this anecdote, for which see above, ch. 4, 80f., is also referred to in no. 57).

¹⁵⁹ It is ironic that 'Aṭā includes in his introduction to Khallāl's work a eulogy of the institutionalisation of *al-amr bi'l-ma'rūf* in the contemporary Sa'ūdī state (Khallāl, *Amr*, 67–9).

¹⁶⁰ Nos. 1, 51, 53–8; also below, note 163. In no. 1, in the printed text, he describes such a course as 'disapproved' (*makrūb*); however, the text of J (f. 1b.14), and the parallel text of Abū Dāwūd (*Masā'il*, 278.13), carry a different sense (see above, note 156). In nos. 16 and 75 such a course is implicitly rejected. Another tradition in which the issue arises (Abū Dāwūd, *Masā'il*, 279.8) is unclear to me. In no. 16, in J, one way of involving the ruler which is envisaged by the questioner is to get him to issue a proclamation about the matter at issue (f. 3a.4; a line has dropped out of the printed text here through haplography).

as in the responsum with which we began;¹⁶¹ and cases where he is prepared to countenance it are rare indeed. In one such instance, he is told of the practice of certain fishermen (or hunters?) who use mice and frogs as bait. Confronted with this disturbing information, Ibn Ḥanbal responds that they should be told to stop it. He is then asked whether, if they persist, the authorities should be called in. The answer, unusually, is yes – then maybe they'll stop it.¹⁶² The other such case concerns the question whether an incorrigible evil-doer may be denounced to the ruler; the answer again is yes – provided you know that the ruler will inflict the correct penalty (*ḥadd*).¹⁶³ The sequel then makes it clear that you are in fact unlikely to know this: Ibn Ḥanbal relates that they had had a noxious neighbour who was handed over to the authorities, received thirty lashes, and died.¹⁶⁴ In general, it seems, the ruler is likely to go too far against an offender;¹⁶⁵ and once you bring in the authorities, you are no longer in control of what happens.¹⁶⁶ Ibn Ḥanbal's reserve thus arises from the arbitrary and unpredictable character of political power.¹⁶⁷ You can have no confidence that the authorities will impose the legal punishment for the offence.¹⁶⁸ What they do will be too little or too much, and the chances are that they will act with lawless brutality.¹⁶⁹

All this fits well with what we know of Ibn Ḥanbal's political attitudes, and of his life in general.¹⁷⁰ He was described, and described himself, as a

¹⁶¹ No. 57.

¹⁶² Ishāq ibn Ibrāhīm, *Masā'il*, 2:175 no. 1958. Cf. M. Cook, 'Early Islamic dietary law', *Jerusalem Studies in Arabic and Islam*, 7 (1986), 240, 277.

¹⁶³ Compare a case in which Ibn Ḥanbal is asked whether the authorities should be called in to deal with a blasphemous drunk; the answer is no, because it is to be feared that they would not inflict the right penalty (Ibn Muflīḥ, *Ādāb*, 1:218.3). ¹⁶⁴ No. 50.

¹⁶⁵ No. 55 (*yata'addā 'alayhi*). In one tradition, it seems that the likely response of the state is to fine the offender: they 'take something from him and ask him to repent' (no. 51).

¹⁶⁶ No. 57.

¹⁶⁷ Contrast the attitude of 'Uqba ibn 'Āmir (see above, note 158), whose reluctance to see the police called in to deal with wine-drinking neighbours is motivated rather by concern for privacy.

¹⁶⁸ Ibn Ḥanbal does occasionally discuss the legal punishments for offences in the responsa under study. Thus no. 102 concerns the punishment (*adab*) that the authorities should mete out to a music-maker – not more than ten lashes. I assume that the immediately following tradition on the beating of the perpetrator of *taghbīr* (no. 103, cf. above, note 52) also refers to punishment administered by the authorities, though this is not explicit. In no. *31, 'Umar ibn al-Khaṭṭāb beats a camel-driver for cruelty to his camel.

¹⁶⁹ Other traditions show a similar reluctance on the part of Ibn Ḥanbal to be responsible for a man's going to prison (no. 51, where the man dies there; no. 60; and cf. nos. *52, *62), or otherwise to involve the state in his affairs (no. 59).

¹⁷⁰ See W. M. Patton, *Aḥmed ibn Hanbal and the Miḥna*, Leiden 1897, for what is still the best published account in a Western language. Though I shall not give further references to his work, Patton had access through late sources to a good deal of the material cited below, and one of his major sources remains of fundamental importance (see next note). A new study by Nimrod Hurvitz is in preparation.

man who kept clear of rulers.¹⁷¹ Equally there is no indication that he had played any part in the popular movements that, back in the year 201/817, had sought to restore order on the streets of Baghdad in the chaotic conditions of the fourth civil war;¹⁷² and indeed he explicitly condemned the action of the most prominent of the popular leaders, Sahl ibn Salāma,¹⁷³ though this must also have been connected with the latter's Mu'tazilism.¹⁷⁴ At no point during the long years of the Miḥna (218–34/833–48) did he feel it his duty to seek out a confrontation with the state; trouble always came knocking at his door, not the other way round.¹⁷⁵ And when

¹⁷¹ When Muḥammad ibn 'Abdallāh ibn Ṭāhir (d. 253/867) was pressing to see him, he stated: *anā rajul lam ukhālīṭ al-sultān* (Abū Nu'aym, *Ḥilya*, 9:220.2, quoting the account of Ibn Ḥanbal's life given by his son Ṣāliḥ (d. 266/880); for the career of Muḥammad ibn 'Abdallāh ibn Ṭāhir in Baghdad, see *ET*², art. 'Muḥammad ibn 'Abd Allāh' (K. V. Zetterstéen and C. E. Bosworth)). 'Abdallāh ibn Ṭāhir (d. 230/844) is said to have described Ibn Ḥanbal in the same terms to Ishāq ibn Rāhawayh (Ṣāliḥ, *Sīra*, 41.9). In quoting Ṣāliḥ's biography of his father, I refer where possible (as in this case) to Aḥmad's edition, rather than to the citations in Abū Nu'aym's *Ḥilya*. However, the material quoted by Abū Nu'aym from *Ḥilya*, 9:206.16 onwards is not found in Aḥmad's edition, and for this I give references to Abū Nu'aym. A further complication is that the first edition of Ṣāliḥ's work, that given by Dūmī in his monograph on Ibn Ḥanbal (A. 'A. al-Dūmī, *Aḥmad ibn Ḥanbal bayn miḥnat al-dīn wa-miḥnat al-dunyā*, Cairo 1961, 266–303), reaches somewhat further than Aḥmad's: Dūmī's extra material (*ibid.*, 297.16–303.20) corresponds to Abū Nu'aym, *Ḥilya*, 9:206.16–210.25. For this material I give references both to the *Ḥilya* and to Dūmī's edition. The versions of Dūmī and Aḥmad on the one hand, and of Abū Nu'aym on the other, stem from different transmitters from Ṣāliḥ.

¹⁷² On these movements, see Lapidus, 'The separation of state and religion', 372–4; van Ess, *Theologie*, 3:173–5, 448. That they operated under the banner of *al-amr bi'l-ma'rūf* is a point to which I shall return (see below, note 190).

¹⁷³ He disapproved of his enterprise, and reproved one of his followers, see Khallāl, *Musnad*, 25.15 (noted in van Ess, *Theologie*, 3:174). For brief descriptions of this rich work and its contents, see, in addition to the editor's introduction, C. Rieu, *Supplement to the catalogue of the Arabic manuscripts in the British Museum*, London 1894, 98–100 no. 168; H. Laoust, 'Les premières professions de foi hanbalites', in *Mélanges Louis Massignon*, Damascus 1956–7, 3:18–22. Incidentally, Laoust's statement that the fifth *juz'* of the work includes an enumeration of traditions concerned with *al-amr bi'l-ma'rūf* (*ibid.*, 21) is misleading, unless he had in mind the saying of Hudhayfa ibn al-Yamān which divides Islam into eight shares, of which the last two are *al-amr bi'l-ma'rūf* and *al-nahy 'an al-munkar* respectively (quoted twice, Khallāl, *Musnad*, 396.20, 397.12; for this saying, which appears also as a Prophetic tradition, see Ibn Wahb, *Jāmi'*, fragment edited by M. Muranyi under the subtitle *Die Koranwissenschaften*, 134 line 19, and Muranyi's commentary thereto; Bayhaqī, *Shu'ab*, 6:94f. nos. 7,585f.).

¹⁷⁴ See W. Madelung, 'Imam al-Qāsim ibn Ibrāhīm and Mu'tazilism', in *On both sides of al-Mandab: Ethiopian, South-Arabic and Islamic studies presented to Oscar Löfgren on his ninetieth birthday*, Swedish Research Institute in Istanbul, *Transactions*, 2 (1989), 43; W. Madelung, 'The vigilante movement of Sahl b. Salāma al-Khurasānī and the origins of Ḥanbalism reconsidered', *Journal of Turkish Studies*, 14 (1990), 331; van Ess, *Theologie*, 3:174.

¹⁷⁵ The problem of the appropriate response to the Miḥna is never discussed by Ibn Ḥanbal in terms of *al-amr bi'l-ma'rūf* (see, for example, Ḥanbal, *Miḥna*, 40.2, 44.6, 78.9; cf. Abū Ya'la, *Amr*, f. 102b.17). Nor does Ibn Ḥanbal seem to feel any obligation to speak out against official heresy at the Friday prayer (cf. below, note 244).

rebellion was mooted in traditionist circles in Baghdad against the heretical zeal of al-Wāthiq (r. 227–32/842–7), Ibn Ḥanbal is described as strongly opposing this dangerous project.¹⁷⁶ Again, there is no indication of his involvement in the abortive rising that ensued under the leadership of Aḥmad ibn Naṣr al-Khuzāʿī in 231/846¹⁷⁷ – though he seems to have gone along with the view that Aḥmad died a martyr's death.¹⁷⁸ When times changed, he sought to maintain the same distance from the orthodox caliph al-Mutawakkil as he had from his heretical predecessors. Such official orthodoxy, though a blessing to the Muslims at large,¹⁷⁹ did little for Ibn Ḥanbal personally except to complicate his life by rendering him the target of unwanted attention and largesse.¹⁸⁰ As he told his worldly uncle Ishāq with regard to the food and presents that al-Mutawakkil pressed on him and his family: 'If you didn't accept them, they'd leave you alone.'¹⁸¹

6. CONCLUSION

The responsa of Ibn Ḥanbal give us a remarkable picture of the duty of forbidding wrong as it was understood and practised in the early Ḥanbalite milieu. Indeed this picture is perhaps the most lively we can hope to paint for any pre-modern Islamic society. But it is not one that we should attempt to generalise to other places and times in the traditional Islamic

¹⁷⁶ Ḥanbal, *Miḥna*, 81.8; Ibn Abī Yaʿlā, *Tabaqāt*, 1:144.22; Khallāl, *Musnad*, 21.15. What particularly incensed the *fuqahāʾ* was the proposal to indoctrinate schoolchildren with the dogma of the created Koran (as noted in van Ess, *Theologie*, 3:470, where the proposal has, however, become an accomplished fact). Ibn Ḥanbal urged them rather to condemn the heresy in their hearts (*ʿalaykum bi'l-nukra bi-qulūbikum*). Another account of what is probably the same incident is also given by Khallāl (*Musnad*, 21.6).

¹⁷⁷ The fate of Aḥmad ibn Naṣr is mentioned in passing in Ḥanbal, *Miḥna*, 84.3.

¹⁷⁸ Ibn Ḥanbal is quoted as commending Aḥmad ibn Naṣr for his self-sacrifice (Khaṭīb, *Taʾrikh Baghdad*, 5:177.15, and Ibn Abī Yaʿlā, *Tabaqāt*, 1:81.14, both from Abū Bakr al-Marrūdhī), and cf. *ibid.*, 2:289.17; but Ibn Abī Yaʿlā makes no direct reference to the rising anywhere in his *tarjama* of Aḥmad ibn Naṣr, *ibid.*, 1:80–2). Ibn Ḥanbal likewise sees no harm in praying over the severed head of Aḥmad ibn Naṣr ('Abdallāh ibn Aḥmad, *Masāʾil*, 141 no. 524; in no. 523, he has confirmed that one prays over the body of a martyr).

¹⁷⁹ For Ibn Ḥanbal's endorsement of the view that the accession of al-Mutawakkil was a great blessing for the Muslims, see his letter in Abū Nuʿaym, *Ḥilya*, 9:216.10. The change of caliphal policy was, however, neither precipitate nor unqualified (see C. Melchert, 'Religious policies of the caliphs from al-Mutawakkil to al-Muqtadir', *Islamic Law and Society*, 3 (1996), 320–30).

¹⁸⁰ For these tribulations, see the account given by his cousin (Ḥanbal, *Miḥna*, 84–109).

¹⁸¹ *Ibid.*, 105.9. What does not quite emerge in Ḥanbal's account, though amply documented in that of Ibn Ḥanbal's son Ṣāliḥ, is the extreme bitterness of the family quarrel that erupted as a result of the partiality of the family for the blandishments of al-Mutawakkil (see the extensive citations in Abū Nuʿaym, *Ḥilya*, 9:212–15).

world. For all that many of its themes recur elsewhere, the milieu of the early Ḥanbalites retains its own distinctive hues.

What stands out is the low-profile character of Ibn Ḥanbal's conception of the duty. As we have seen, one keeps out of the way of the state, neither confronting nor coopting the ruler. In this sense Ibn Ḥanbal's doctrine is a deeply apolitical one. At the same time it is a distinctly civilian one – as we saw, one neither uses weapons nor confronts them. There is also the tendency to leave off if the offender does not listen, and to take refuge in performing the duty in the heart. These features have parallels in the doctrines of other schools, but they are rarely used to such consistent effect.

More startling is the existence in Khallāl's collection of a trend of thought which casts doubt on the very idea that forbidding wrong is a duty, or even denies it this standing altogether. Such outright denial never appears in the mouth of Ibn Ḥanbal himself, but it is transmitted from two earlier authorities, Ḥasan al-Baṣrī (d. 110/728)¹⁸² and 'Abdallāh ibn Shubruma (d. 144/761f.).¹⁸³ Both regard forbidding wrong as a supererogatory activity (*nāfila*). Ibn Ḥanbal is less categorical. Asked whether forbidding wrong is obligatory, he replies that in these evil days it is too burdensome (*shadīd*) to impose, especially in the light of the easement in the Prophetic tradition¹⁸⁴ – a clear reference to the possibility of performing the duty in the heart. On another occasion he betrays a similar sense of the corruption of the times, remarking that 'this is no time for forbidding'.¹⁸⁵ Such minor hesitations are also apparent in other things he says on the subject.¹⁸⁶

One way to interpret this early Ḥanbalite quietism is in terms of the adaptation of an activist heritage to a civilian society for which political quietism was an increasingly relevant option.¹⁸⁷ But even in the civil society

¹⁸² No. *11; see above, ch. 4, note 224. ¹⁸³ No. *24; see above, ch. 4, note 226.

¹⁸⁴ No. 18. ¹⁸⁵ No. 19 (*laysa hādihā zamān nahy*).

¹⁸⁶ In no. 1, in the printed text, Ibn Hanbal has pronounced it obligatory to proceed against a music-maker; he then adds that if a man does so, merit (*faḍl*) accrues to him. As it stands, this is puzzling. But in J, Ibn Hanbal, on being asked whether it is obligatory to proceed, replies: 'I don't know what's obligatory; if he acts, merit accrues to him' (f. 1b.13); and this text is supported by a parallel version of the responsum (Abū Dāwūd, *Masā'il*, 278.11). In no. 14, he trusts that performance 'in the heart' will suffice (contrast no. 13, where a similar statement is immediately qualified). In no. 25, he hopes that performance 'in the heart' will be enough, but adds that it is 'more meritorious' (*afḍal*) to proceed 'with the hand'. In no. 29, he is asked about performance 'with the hand'; his answer is that, if a man has the strength for it, 'there is no harm in it' (*lā ba's bihī*). Of these traditions, all except no. 1 are general statements about the duty at large. All go better with the view that performance of the duty (other than in the heart) is in fact optional. Cf. also the negative attitude towards *al-amr bi'l-ma'rūf* ascribed in Mu'tazilite sources to the Hashwiyya (see, for example, below, ch. 12, 208f.).

¹⁸⁷ Cf. M. Cook, 'Activism and quietism in Islam: the case of the early Murji'a', in A. S. Cudsi and A. E. H. Dessouki (eds.), *Islam and power*, London 1981, 21f. I have not in general

of Baghdad in his own day, Ibn Ḥanbal's stance was far from universal. As mentioned above, the year 201/817 saw the emergence of popular movements aiming to restore public order in the absence of effective authority.¹⁸⁸ At least three leaders were active, Khālid al-Daryūsh, Sahl ibn Salāma, and the young Aḥmad ibn Naṣr.¹⁸⁹ All three acted under the banner of forbidding wrong.¹⁹⁰ What is more, Khālid and Sahl were separated by a significant doctrinal difference regarding the duty. Khālid (who was clearly the less successful leader) categorically opposed performing it against the ruler, and indeed is said to have handed over some of the criminals he apprehended to the authorities¹⁹¹ (or what there was of them). Sahl, by contrast, proposed to fight anyone who opposed Koran and Sunna, irrespective of whether he was a ruler or not¹⁹² – a view which may well reflect a Mu'tazilite affiliation. As we have already seen, the caliph al-Ma'mūn (r. 198–218/813–33) is said to have been moved by these worrisome events to declare a ban on forbidding wrong (sc. by private individuals).¹⁹³ Thirty years later, the duty was again prominent (according to some accounts) in the ideology of the rising planned by Aḥmad ibn Naṣr.¹⁹⁴ Ibn Ḥanbal was not, then, solidly representative of the urban

sought to distinguish *political* quietism (i.e. quietism in relation to the state) from *social* quietism (i.e. quietism in relation to the surrounding society). The two naturally tend to go together; but they need not always do so. The distinction was pointed out to me by David Marmer, with the apt example of Khālid al-Daryūsh (see below, note 191).

¹⁸⁸ See above, note 172. I have also benefited from a sharp analysis of two of these movements in a graduate paper written for me by David Marmer in 1989.

¹⁸⁹ For the role of the latter, see Ṭabarī, *Ta'rikh*, series III, 1344.8 (under the year 231; Ṭabarī here gives a cross-reference to his account of the year 201 which is not honoured in the text of his work as we have it); a quotation from Ṣūlī (d. 335/947) *apud* Khaṭīb, *Ta'rikh Baghdād*, 5:176.9 (both cited in van Ess, *Theologie*, 3:471); Azdī (d. c. 334/945), *Ta'rikh al-Mawṣil*, ed. 'A. Ḥabība, Cairo 1967, 341.15 (I owe this reference to Nurit Tsafir). The quotation from Ṣūlī is a favourite of later sources (Ibn al-Jawzī, *Muntaẓam*, ed. 'Aṭā, 11:165.13; Mizzi, *Tahdhīb*, 1:508.6; Dhahabī, *Siyar*, 11:167.7; Dhahabī, *Ta'rikh al-Islām*, years 231–40, 56.3; Ibn Hajar, *Tahdhīb*, 1:87.11).

¹⁹⁰ For Aḥmad ibn Naṣr, who went into action on the east bank in the name of *al-amr bi'l-ma'rūf*, see the references given in the preceding note. For Khālid's appeal on the same basis to his neighbours, his family and the people of his quarter (*maḥalla*), see Ṭabarī, *Ta'rikh*, series III, 1009.11; for Sahl's similar appeal, first to his neighbours and the people of his quarter, then to the population at large, see *ibid.*, 1009.18, and cf. Ibn al-Faḥḥ (fl. late third/ninth century), *Buldān*, in *Baghdād: Maḍīnat al-Salām*, ed. Ṣ. A. al-'Alī, Baghdad and Paris n.d., 80.16 (referring to his cause as *inkār al-munkar*).

¹⁹¹ Ṭabarī, *Ta'rikh*, series III, 1009.15, 1010.9. ¹⁹² *Ibid.*, 1010.11.

¹⁹³ See above, ch. 4, 70f.

¹⁹⁴ See the continuation of the quotation from Ṣūlī cited above, note 189; Azdī, *Ta'rikh al-Mawṣil*, 178.3 (I owe this reference to Nurit Tsafir); 'Izz al-Dīn ibn al-Athīr (d. 630/1233), *Kāmil*, ed. C. J. Tornberg, Leiden 1851–76, 7:14.5; and Ibn Kathīr (d. 774/1373), *al-Bidāya wa'l-nihāya*, Cairo 1351–8, 10:304.1. But Ṭabarī in his account (*Ta'rikh*, series III, 1343–50) makes no reference to *al-amr bi'l-ma'rūf* in the context of the year 231. See also Lapidus, 'The separation of state and religion', 381, and van Ess, *Theologie*, 2:388.

society he belonged to. There was nevertheless something in his apolitical life and doctrines that spoke to the needs of this society in its more prudent moods. What he represented, an imperfectly realised aspiration to lead a life apart from the state, can best be grasped against the background of his own immediate circumstances.

Ibn Ḥanbal is perhaps the only ordinary citizen of third/ninth-century Baghdad whose life we can place in its concrete surroundings.¹⁹⁵ He lived near the north-western limits of the city.¹⁹⁶ His street (*zuqāq*) was a cul-de-sac:¹⁹⁷ at the open end there was a gate (*bāb al-zuqāq*) which could be closed to exclude outsiders,¹⁹⁸ and at the inner end there was a cluster of four homes (*manāzil*) belonging to Ibn Ḥanbal and his family.¹⁹⁹ One was the home of his uncle Ishāq ibn Ḥanbal (d. 253/867), where his cousin Ḥanbal ibn Ishāq (d. 273/886) also lived;²⁰⁰ it was separated from Ibn Ḥanbal's home by a wall.²⁰¹ Another was the home of his eldest son Ṣāliḥ (d. 266/880);²⁰² it likewise adjoined Ibn Ḥanbal's, and there was a gate linking the two homes.²⁰³ A third belonged to Ibn Ḥanbal's second son 'Abdallāh (d. 290/903).²⁰⁴ These five were the only adult males in the

¹⁹⁵ The account of these surroundings given in this paragraph derives from sources which refer mainly to the later years of his life.

¹⁹⁶ Each time a child was born to Ibn Ḥanbal, a family friend nicknamed 'Būrān' (or 'Fūrān' – the variants suggest an Iranian original 'Pūrān', cf. F. Justi, *Iranisches Namenbuch*, Marburg 1895, 255), who lived nearby (see below, note 227), would go out and buy a present either at the Bridge (al-Qanṭara) or at Bāb al-Tibn (Ibn al-Jawzī, *Manāqib*, 303.15). The Bridge was local, as we learn from another reminiscence (*ibid.*, 263.8), so presumably the Bāb al-Tibn was also close by. This gate is well known, and marked the north-western limit of the city (see G. Le Strange, *Baghdad during the Abbasid caliphate*, Oxford 1900, 115, and Map V no. 15); the Bridge is accordingly likely to be the Qanṭarat Raḥā Umm Ja'far (*ibid.*, 113, and Map V, no. 13). I do not know what to make of the statement that the 'one-eyed Tigris' (Dijla al-'Awra') was behind Ibn Ḥanbal's home (Ibn al-Jawzī, *Manāqib*, 20.10); this term belongs in the neighbourhood of Baṣra, not Baghdad, unless it is a synonym for the 'Upper Harbour' of Le Strange's map.

¹⁹⁷ For the cul-de-sac as a feature of Arab cities in a later period (but not, surprisingly, of those of Iraq), see A. Raymond, *The great Arab cities in the 16th–18th centuries: an introduction*, New York and London 1984, 15f.

¹⁹⁸ See Ḥanbal, *Miḥna*, 67.20; Dhahabī (d. 748/1348), *Tarjamat al-imām Aḥmad* (extracted from his *Ta'rikh al-Islām*), ed. A. M. Shākir, n.p. 1946, 76.6, 77.4; and Abū Nu'aym, *Ḥilya*, 9:176.11 (*bāb al-darb*). Presumably such gates were widespread, but they do not seem to have ensured security at night: Ibn Ḥanbal is against going out in response to a shout after dark (no. 109).

¹⁹⁹ That Ibn Ḥanbal's home was at the far end of the street appears from an account quoted in Abū Nu'aym, *Ḥilya*, 9:176.13. ²⁰⁰ See for example Ḥanbal, *Miḥna*, 88.8.

²⁰¹ *Ibid.*, 100.13. Ḥanbal could hear Ibn Ḥanbal reciting the Koran on his roof (*ibid.*, 110.2), and he could overlook Ibn Ḥanbal's home from his own roof (*ibid.*, 87.2).

²⁰² See, for example, *ibid.*, 88.8, 113.5.

²⁰³ Ibn Ḥanbal had the gate closed up during the family quarrel (Abū Nu'aym, *Ḥilya*, 9:213.23), but the children first opened a peephole (*kuwwa*) in it (*ibid.*, 214.8), and finally got it open again (*ibid.*, 215.3). See also Ibn al-Jawzī, *Manāqib*, 216.2.

²⁰⁴ See Ibn al-Jawzī, *Manāqib*, 264.7, 302.13, 403.6, and cf. Dhahabī, *Tarjama*, 76.2.

family;²⁰⁵ with the exception of Ibn Ḥanbal's slave-girl Ḥusn,²⁰⁶ women and children tend to be referred to only in general terms.²⁰⁷ Ibn Ḥanbal's home, though described as cramped,²⁰⁸ seems to have been quite a ramified affair: it contained at least three chambers (*buyūt*), upper rooms (*ghuraf*), and roofs (*suṭūḥ*),²⁰⁹ not to mention an entrance-hall (*dihlīz*)²¹⁰ and a well.²¹¹ Members of the family might sit at the gates of their homes,²¹² and would sleep on the roofs of their houses in summer.²¹³ The local mosque, where his uncle led the prayer, and he himself would teach, was at his gate,²¹⁴ but during the quarrel with his family, Ibn Ḥanbal ceased to attend it, and instead went to a mosque located outside his street.²¹⁵ Beyond the family circle were the neighbours.²¹⁶ One of them, as we have seen, was a malefactor who perished while in the hands of the authorities.²¹⁷ But several of them were connected with Ibn Ḥanbal's scholarly activities.²¹⁸ Unlike his uncle, Ibn Ḥanbal seems to have been on good terms with his neighbours,²¹⁹ and they were people with whom he felt some solidarity: at one point he dismissed the idea of going into hiding on the grounds that it would put his family and neighbours at risk.²²⁰ Among them were tenants of his (*sukkān*).²²¹ Weavers appear as both

²⁰⁵ Ḥanbal, *Miḥna*, 102.3, 108.12. The death of an uncle named ʿAbdallāh must have taken place at an earlier date (Ṣāliḥ, *Sira*, 37.4).

²⁰⁶ See for example Ḥanbal, *Miḥna*, 100.12; Dhahabī, *Tarjama*, 38.16, 39.3.

²⁰⁷ See for example Abū Nuʿaym, *Ḥilya*, 9:207.9 (cf. Ṣāliḥ *apud* Dūmī, *Aḥmad ibn Ḥanbal*, 298.17); Ḥanbal, *Miḥna*, 88.8, 102.4. ²⁰⁸ Ibn al-Jawzī, *Manāqib*, 249.19.

²⁰⁹ Ḥanbal, *Miḥna*, 88.6 (reading *manzil* for *manzīlay*, as in the parallel texts in Dhahabī, *Tarjama*, 59.10, and Dhahabī, *Siyar*, 11:267.8, but discarding the reading *sarāb* for *buyūt* found there).

²¹⁰ See Ibn al-Jawzī, *Manāqib*, 209.14, 291.2; Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:186.15.

²¹¹ Abū Nuʿaym, *Ḥilya*, 9:179.17 (*biʿr*). Ṣāliḥ's house too had its well (*ibid.*, 207.9 = Ṣāliḥ *apud* Dūmī, *Aḥmad ibn Ḥanbal*, 298.18). ²¹² Ḥanbal, *Miḥna*, 99.12.

²¹³ *Ibid.*, 87.1, and cf. Abū Nuʿaym, *Ḥilya*, 9:207.22 (= Ṣāliḥ *apud* Dūmī, *Aḥmad ibn Ḥanbal*, 299.12).

²¹⁴ Abū Nuʿaym, *Ḥilya*, 9:176.15; see also Ibn al-Jawzī, *Manāqib*, 384.19, and cf. *ibid.*, 209.9. For his teaching in the mosque, see *ibid.*, 189.15.

²¹⁵ Abū Nuʿaym, *Ḥilya*, 9:214.17; Ibn al-Jawzī, *Manāqib*, 384.18. Cf. also Ṣāliḥ, *Sira*, 34.6.

²¹⁶ One's neighbourhood (*jīmār*) is defined by Ibn Ḥanbal as thirty homes around one's own (ʿAbdallāh ibn Aḥmad, *Masāʾil*, 384 no. 1393). ²¹⁷ See above, note 164.

²¹⁸ See Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:137.12, 301.19, 334.1, 415.15. The last of these entries relates to Ibn Bukhtān, a friend of the family who had a shop (*dukkān*) at the Bridge (Ibn al-Jawzī, *Manāqib*, 263.8). ²¹⁹ *Ibid.*, 218.3, 218.17.

²²⁰ Ḥanbal, *Miḥna*, 37.5.

²²¹ One, whom Ibn Ḥanbal ejected from his home for cohabiting with his divorced wife, has already been mentioned (see above, note 60). Another retrieved a pair of scissors which Ibn Ḥanbal had dropped into the well; in return, Ibn Ḥanbal forgave him three months rent for the shop (*ḥānūt*) (Abū Nuʿaym, *Ḥilya*, 9:179.17). On his death-bed, Ibn Ḥanbal sent Ṣāliḥ to one of the tenants in connection with a purchase of dates (*ibid.*, 220.10). That these tenants, or some of them, were not living in Ibn Ḥanbal's own home is clear from a reference to the 'home of the tenants' (*dār al-sukkān*) (Ibn al-Jawzī, *Manāqib*, 274.11; Dhahabī, *Siyar*, 11:209.11).

neighbours²²² and tenants,²²³ emphasising the humble character of the neighbourhood.²²⁴ Another neighbour ran a butcher's shop.²²⁵ Somewhere nearby there was a bath-house which Ibn Ḥanbal did not patronise,²²⁶ and the home of the family's closest friend;²²⁷ but it is not clear whether these were located in Ibn Ḥanbal's own street or outside it, and we do not know how far, if at all, his 'quarter' (*maḥalla*) extended beyond his street.²²⁸ The family was not well-off, and Ṣāliḥ, who had too many mouths to feed, found it particularly hard to make ends meet.²²⁹ But both Ibn Ḥanbal and his uncle had some income from property (*ghalla*).²³⁰

There was little in this lifestyle to force Ibn Ḥanbal into the proximity of the state, other than the gratuitous location of his home in a capital city. He was an Arab,²³¹ and as such a member of what had once been a political and military aristocracy; but it was not an identity he gloried in, or even made mention of.²³² He had a link to the incumbent dynasty through his

²²² When a child of Ibn Ḥanbal's went missing, he turned up in one of the weavers' homes (Ibn al-Jawzī, *Manāqib*, 209.11). Ḥusn sells the yarn she has spun to one of them (*ibid.*, 302.5).

²²³ This is implicit *ibid.*, 266.11; and compare *ibid.*, 404.17 with *ibid.*, 223.17.

²²⁴ For the low status of weavers, see R. Brunschvig, 'Métiers vils en Islam', *Studia Islamica*, 16 (1962), esp. 50–5.

²²⁵ Ibn Abī Ya'ālā, *Ṭabaqāt*, 1:430.6; Ibn al-Jawzī, *Manāqib*, 302.1; Dhahabī, *Tarjama*, 39.7.

²²⁶ One winter's day he scheduled a visit, but thought better of it and cancelled it (Ṣāliḥ, *Sira*, 42.1); he had not entered a bath-house for fifty years (Ibn al-Jawzī, *Manāqib*, 247.16). Cf. also Dhahabī, *Tarjama*, 25.7.

²²⁷ Būrān (see above, note 196) makes frequent, sometimes intimate, appearances in the life of the family (see, for example, Ṣāliḥ, *Sira*, 52.7; Abū Nu'aym, *Ḥilya*, 9:213.4, 215.7). That his home was close by we learn from an account of how Ibn Ḥanbal hid there at one stage during the Miḥna (Ḥanbal, *Miḥna*, 84.3). See also Ibn Abī Ya'ālā, *Ṭabaqāt*, 1:195f. (giving his death date as 256/870).

²²⁸ In one account we read that his quarter was surrounded and searched by the authorities at a time when he was under suspicion (Abū Nu'aym, *Ḥilya*, 9:176.18).

²²⁹ See, for example, *ibid.*, 213.20. Ḥanbal ibn Ishāq was also a poor man (Ibn Abī Ya'ālā, *Ṭabaqāt*, 1:143.12).

²³⁰ According to Ibn Kathīr, Ibn Ḥanbal received 17 dirhems per month in income (*ghalla*) from property (*milḥ*) (*Bidāya*, 10:337.9). Ibn Kathīr does not give his source, but a reference to *ghallat al-dār* appears in Ibn Ḥanbal's will, see Abū Nu'aym, *Ḥilya*, 9:213.6, and cf. Ibn Abī Ya'ālā, *Ṭabaqāt*, 1:195.12. For other references to this income, see for example *ibid.*, 10.13, 260.9; Ibn al-Jawzī, *Manāqib*, 224.5, 264.1; Dhahabī, *Siyar*, 11:320.1. For Ishāq's income, see Abū Nu'aym, *Ḥilya*, 9:214.14.

²³¹ For his standard genealogy, see Ṣāliḥ, *Sira*, 27.1; also Dhahabī, *Tarjama*, 9.2, with variants and scholarly commentary. The 'master of the bridge' (*ṣāḥib al-jisr*) identifies him (in Persian) as an Arab (*Tāzīh*) as he returns home from his flogging (Ḥanbal, *Miḥna*, 67.19).

²³² Ibn 'Asākir, *Ta'rikh*, 5:257.15, 258.1; see also Ibn Abī Ya'ālā, *Ṭabaqāt*, 1:249.6; Ibn al-Jawzī, *Manāqib*, 274.19; Dhahabī, *Tarjama*, 12.12. Madelung holds a very different view on this point; to establish Ibn Ḥanbal's Arab sentiments, he quotes a passage from a creed attributed to Ibn Ḥanbal which displays strong animosity to Shu'ūbism (Madelung,

Khurāsānian background:²³³ his grandfather Ḥanbal had served the ‘Abbāsīd cause at the time of the revolution,²³⁴ and his father too had belonged to the ‘Abbāsīd army.²³⁵ This connection was vigorously exploited by his worldly uncle Iṣḥāq in his attempts to extricate his nephew from the Miḥna,²³⁶ but again it meant nothing to Ibn Ḥanbal himself. At his interrogation he found occasion to put to the caliph the rhetorical question: ‘Commander of the Faithful, a call (*da‘wa*) after the call of Muḥammad, peace be upon him?’²³⁷ What remained for him of the fusion of religion and politics that had brought the Islamic world into being was little more than a duty and a ritual.²³⁸ The duty was to obey the caliph²³⁹ – in any matter, that is, that did not involve disobedience to God.²⁴⁰ But in normal times, this was not an obligation that intruded much into the life of a man such as Ibn Ḥanbal. The ritual was the Friday prayer,²⁴¹ the residue of an earlier epoch in which the Muslim community could physically gather together in one place. To participate in this ritual meant to leave one’s own immediate neighbourhood and attend at the official cathedral mosque²⁴² – for Ibn Ḥanbal the Great Mosque built originally by the

Religious trends, 23, citing Ibn Abī Ya‘lā, *Ṭabaqāt*, 1:34.18; and see also *ibid.*, 30.17, from the same creed). It is of course true that he was no friend to the Shu‘ūbiyya (cf. Iṣḥāq ibn Ibrāhīm, *Masā’il*, 1:200 no. 992). But the creed in question is one whose ascription to Ibn Ḥanbal was vigorously rejected by Dhahabī (*Siyar*, 11:286.18, 303.3), and perhaps rightly so.

²³³ He had been brought from Marw in his mother’s womb (Ṣāliḥ, *Sira*, 26.2). He could speak Persian, as emerges from a reminiscence of his grandson Zuhayr ibn Ṣāliḥ (d. 303/915f.) regarding a visit Ibn Ḥanbal received from the son of a maternal aunt in Khurāsān (Dhahabī, *Tarjama*, 34.20). Cf. also Ḥanbal, *Miḥna*, 53.19.

²³⁴ See Madelung, *Religious trends*, 22, citing al-Khaṭīb al-Baghdādī, *Ta‘rīkh Baghdād*, 4:415.11; also Dhahabī, *Tarjama*, 12.4.

²³⁵ He is said to have been a commander (*qā’id*) (see Madelung, *Religious trends*, 22, and Ibn al-Jawzī, *Manāqib*, 19.14), and to have belonged to the army of Marw (Dhahabī, *Siyar*, 11:179.7).

²³⁶ Ḥanbal, *Miḥna*, 43.11. Cf. also Abū Nu‘aym, *Ḥilya*, 9:205.13 (quoting a highly suspect account, see below, ch. 6, note 6). ²³⁷ Ḥanbal, *Miḥna*, 47.8.

²³⁸ In principle we should add to these *jihād*; but the part it played in Ibn Ḥanbal’s life was slight. There is a report that he engaged in it while visiting Tarsus (Dhahabī, *Siyar*, 11:311.9), and he showed concern for the *thughūr* (*ibid.*, 311.11, with reference to Qazwīn; Ibn al-Jawzī, *Manāqib*, 196.6, 384.13).

²³⁹ See, for example, the statements that Ibn Ḥanbal makes to the authorities when they raid his house (Ḥanbal, *Miḥna*, 87.13, 88.4; cf. Khallāl, *Musnad*, 1.5).

²⁴⁰ Khallāl, *Musnad*, 1.7 (*al-sam‘ wa’l-ṭā‘a mā lam yu‘mar bi-mā‘iyya*).

²⁴¹ The ‘Abbāsīds, in his view, were the right people to lead it, see Khallāl, *Musnad*, 1.12; Ibn Abī Ya‘lā, *Ṭabaqāt*, 1:144.20; and cf. *ibid.*, 26.17, 294.21, 330.10, 344.20, 421.11. These statements also mention less frequent rituals at which the ruler had the right to officiate, notably the two festivals and the pilgrimage.

²⁴² For an anecdote which places Ibn Ḥanbal at the *maṣjid al-jāmi‘* on a Friday with his eldest son, see Ṣāliḥ, *Sira*, 34.8. The way there lay along a major road (*ṭarīq*) (see ‘Abdallāh ibn Aḥmad, *Masā’il*, 129 no. 474).

caliph al-Manṣūr (r. 136–58/754–75).²⁴³ But there too the contact could be minimal. Even in the period when the state was actively heretical, with an adherent of its false doctrine leading the prayer, Ibn Ḥanbal would still participate in this communal ritual; but on returning home he would make good the deficiency by repeating the prayer in private.²⁴⁴

It was through no choice of Ibn Ḥanbal's that the state burst into his world and shattered its peace. First came what he called the 'religious ordeal' (*fitnat al-dīn*), in which he was imprisoned, interrogated and flogged for refusing to pay lip-service to heresy; then, after his home and those of his family had been raided and searched in the middle of the night, came the 'worldly ordeal' (*fitnat al-dunyā*), a more insidious threat, because the favours lavished on him at the caliphal court corrupted his own family.²⁴⁵ In both, he said, he wished he were dead.²⁴⁶ As he lamented bitterly: 'I've been spared these people for sixty years, and now at the end of my life I'm afflicted with them.'²⁴⁷ After the caliph had allowed him to go home, he was still pestered by the comings and goings of benevolent officialdom.²⁴⁸ Even death did not fully release him: at his funeral, the Ṭāhirid

²⁴³ This is shown by a report which has him attend the cathedral mosque on a Friday and pray in the 'Cupola of the Poets' (*qubbat al-shu'arā'*) (Ibn al-Jawzī, *Manāqib*, 289.8). As Sabari has shown (S. Sabari, *Mouvements populaires à Bagdad à l'époque 'abbaside*, Paris 1981, 15), this cupola, which owed its name to the weekly gathering of poets that took place under it (Khaṭīb, *Ta'rikh Baghdād*, 8:249.6), was located in the Jāmi' al-Manṣūr (*ibid.*, 12:95.22).

²⁴⁴ Ḥanbal, *Mihna*, 79.15 (cf. Ibn al-Jawzī, *Manāqib*, 159.10). In the days of the orthodox al-Mutawakkil, by contrast, he attended and did not repeat the prayer (Ḥanbal, *Mihna*, 80.6). At a late stage in the *Mihna*, he did in fact cease to attend the Friday prayer, but this was because he was in hiding (*ibid.*, 80.5), or had received official orders to stay at home (Abū Nu'aym, *Ḥilya*, 9:207.1 = Ṣāliḥ *apud* Dūmī, *Aḥmad ibn Ḥanbal*, 298.9).

²⁴⁵ During his visit to the court he described them as 'my ruin' (*āfatī*) (Abū Nu'aym, *Ḥilya*, 9:212.6). The agonising details given by Ṣāliḥ of such matters as Ishāq's deception of his nephew (*ibid.*, 214.1), and of his own relapse after a period of probity (*ibid.*, 215.6), remind one of stories of the destruction of families by drug addiction at the present day. There are reports to the effect that Ibn Ḥanbal explained away his unwillingness to accept the state's money (*māl al-sultān*) as arising only from personal scrupulousness (Ibn Abī Ya'la, *Ṭabaqāt*, 1:204.6, and Ibn al-Jawzī, *Manāqib*, 259.6). These are hard to square with the biographical data, and one of them (the first) is transmitted, most tendentiously, by al-Mutawakkil's vizier 'Ubayd Allāh ibn Yaḥyā ibn Khāqān (d. 263/877) (for whom see D. Sourdél, *Le vizirat 'abbāside*, Damascus 1959–60, 274–86).

²⁴⁶ Abū Nu'aym, *Ḥilya*, 9:211.21. For the parallelism between the two ordeals, see also Ibn Abī Ya'la, *Ṭabaqāt*, 1:265.8.

²⁴⁷ Abū Nu'aym, *Ḥilya*, 9:209.24, and cf. *ibid.*, 207.23 = Ṣāliḥ *apud* Dūmī, *Aḥmad ibn Ḥanbal*, 302.15, 299.15.

²⁴⁸ Thus on one occasion the caliph's emissary, Yaḥyā ibn Khāqān, arrives outside the street with a large retinue in the pouring rain; with a fine sense of theatre, he dismounts there and proceeds up the street on foot, wading through the puddles till he reaches Ibn Ḥanbal's gate (Abū Nu'aym, *Ḥilya*, 9:219.10). This Yaḥyā was frequently sent by al-Mutawakkil to ask Ibn Ḥanbal about this and that (Ibn Abī Ya'la, *Ṭabaqāt*, 1:401.6). He was the father of the vizier mentioned above, note 245 (see Sourdél, *Le vizirat 'abbāside*, 273f.).

governor of Baghdad pushed in to perform the prayer in place of Ibn Ḥanbal's own son.²⁴⁹

Ibn Ḥanbal stood for unhesitating obedience to the ruler, except in disobedience to God. Yet it was obedience without a shadow of warmth or a hint of a smile.²⁵⁰ He was neither an activist opponent of the caliphs²⁵¹ nor a loyalist pledged to their support.²⁵² He was ready to render unto Caesar the things which were Caesar's;²⁵³ beyond that, what he asked most of all was to be left alone, and in that lies a key to his doctrine of forbidding wrong.

But just as his contemporaries refused to leave him alone, so also posterity was to impose on him a role he had never sought: that of founder and leader of a well-defined and often aggressive religious community. The circumstances of this community were to vary significantly over space and time in the millennium after his death. But in one way or another, their effect was to erode the foundations of Ibn Ḥanbal's apolitical politics.

²⁴⁹ Ḥanbal, *Miḥna*, 112.3.

²⁵⁰ Thus he caused great offence at court by greeting the caliph's son al-Mu'tazz as he would have any other Muslim (Ḥanbal, *Miḥna*, 107.7).

²⁵¹ Here I find myself in disagreement with Lapidus's view that Ḥanbalism was marked by militant opposition to the caliphate ('The separation of state and religion', 383; see also *ibid.*, 370).

²⁵² Madelung has a rather different view of the early Ḥanbalites, seeing them as committed to the 'unquestioning backing of the established caliphate', and to the revival of the spirit of the heroic age of Khurāsānian *jihād* against the infidel (Madelung, *Religious trends*, 25; Madelung, 'The vigilante movement of Sahl b. Salāma', 336f.).

²⁵³ Ibn Ḥanbal was once asked by a tradesman whether he should do business with the army (*jund*). He responded by asking, with one of his rare smiles, where the *dirham* was struck – wasn't it in their abode (*fī dārihim*)? (Ibn Abī Ya'lā, *Ṭabaqāt*, 1:52.7; cf. Matt. 22:20.)

CHAPTER 6

THE ḤANBALITES OF BAGHDAD

1. INTRODUCTION

When we turn from Ibn Ḥanbal (d. 241/855) to the later development of Ḥanbalism, we no longer have a body of normative material so close to the life of the streets. Instead, we find ourselves looking through two rather different windows. On the one hand, we have formal, even systematic accounts of the duty from the pens of major Ḥanbalite scholars.¹ These accounts rather awkwardly seek to straddle the gap between the heritage of Ibn Ḥanbal's responsa on the one hand, and a fashionably systematising intellectual style on the other. What we lose here is the original sense of immediacy in the relationship of principle to practice. The other window is historical. After a period in which the Ḥanbalites play little part in the history of Baghdad, they rather suddenly acquire notoriety as troublemakers through the exploits of Barbahārī (d. 329/941) and his contemporaries. This activity then continues to be documented through the Būyid domination (334–447/945–1055) and far into the Seljūq period (447–590/1055–1194).² It gradually recedes, however, with the emergence of close ties between the Ḥanbalites and the 'Abbāsīd state; this happy relationship then lasts until the demise of the caliphate in 656/1258. What we have is thus largely a record of high principles on the one hand, and high drama on the other; but we no longer hear much of the daily round of forbidding wrong.³

¹ I have benefited from some references to Ḥanbalite discussions of *al-amr bi'l-ma'rūf* collected in Laoust, *La profession de foi d'Ibn Baṭṭa*, 53 n.2.

² For a useful consolidated account of this activity, see Sabari, *Mouvements populaires*, ch. 4.

³ The Ḥanbalite biographers tell us from time to time that a scholar was noted for his performance of the duty. Thus (1) Ja'far ibn Muḥammad al-Nasā'ī, a transmitter from Ibn Ḥanbal, is said to have been *ammār bi'l-ma'rūf, nabhā'* 'an al-munkar (Ibn Abī Ya'lā, *Ṭabaqāt*, 1:124.10, adding that he is reported to have met his death in Mecca in the course of this activity). Similar statements are made about the following: (2) Ibn Baṭṭa al-'Ukbarī (d. 387/997) (*ibid.*, 2:144.17; Khaṭīb, *Ta'rikh Baghdād*, 10:372.14; Ibn al-Jawzī,

In what follows I shall first sketch this changing record of Ḥanbalite practice, and then turn to contemporary Ḥanbalite theory. At the end of the chapter I shall take up the question how far it is plausible to relate the two.

2. ḤANBALITE PRACTICE

The relative quietism that characterises the original Ḥanbalite attitude to forbidding wrong may well have continued for several decades after the death of Ibn Ḥanbal.⁴ It is true that in Ḥanbalite sources we find references to an angry and aggressive Ḥanbalite populace at the time of his death,⁵ and, indeed, already at the time of the Miḥna.⁶ But this picture has no

Manāqib, 517.13); (3) Abū 'l-Ḥasan al-'Ukbarī (d. 468/1076) (Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:14.20); (4) Abū 'l-Qāsim ibn Manda al-Iṣbahānī (d. 470/1078) (Ibn al-Jawzī (d. 597/1201), *Muntazam*, Hyderabad 1357–61, 8:315.8; Dhahabī, *Siyar*, 18:352.2 (I owe this reference to Nurit Tsafir); Dhahabī, *Tadhkira*, 1166.12); Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:34.10; (5) Ibn al-Qawwās (d. 476/1084) (Ibn Abī Ya'la, *Ṭabaqāt*, 2:244.18, and Ibn al-Jawzī, *Manāqib*, 523.16; also Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:51.5, where the statement is followed by an anecdote about his public reproof of a man he had seen going naked in the bath-house); (6) Ja'far ibn Ḥasan al-Darziyānī (d. 506/1112) (Ibn Abī Ya'la, *Ṭabaqāt*, 2:257.9, and Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:136.17, the latter making reference to his *maqāmāt mashhūda* in this connection); (7) A'azz al-Baghdādī (d. after 560/1164) (Ibn Rajab, *Dhayl*, ed. Fiqī, 1:331.4); (8) Ibn al-Muqābala al-Bāmāwardī (d. 571/1175) (*ibid.*, 335.5); (9) Ishāq al-'Althī (d. 634/1236) (*ibid.*, 2:205.4). But with the exception of the latter (for whom see below, notes 101f., 201f.), these notices offer little beyond the bare statement. A more colourful case is that of (10) Aḥmad ibn 'Alī al-'Althī (d. 503/1110), who in his youth was a decorator, and would forbid his fellow-craftsmen to make images; he gave up the trade after an episode in which, in performance of the duty, he smashed images in the home of some exalted personage (*ba'd al-salāṭin*) (Ibn Abī Ya'la, *Ṭabaqāt*, 2:255.6; the story is adduced from Ibn Rajab in I. Goldziher, *Le livre de Mohammed ibn Toumert*, Algiers 1903, 90, where the *nisba* is misread). We possess a fragment of a diary kept by the Baghdādī Ḥanbalite Ibn al-Bannā' (d. 471/1079) which covers a bit over a year; he notes the deaths in 460/1068 of two otherwise unknown Ḥanbalites who, he remarks, used to forbid wrong (G. Makdisi, 'Autograph diary of an eleventh-century historian of Baghdād', *Bulletin of the School of Oriental and African Studies*, 18–19 (1956–7), 241 §15 = 252, 244 §26 = 255).

⁴ For a survey of Ḥanbalism in this period, see H. Laoust, 'Le hanbalisme sous le califat de Bagdad', *Revue des Etudes Islamiques*, 27 (1959), 74–81.

⁵ See Ibn al-Jawzī, *Manāqib*, 418.5 (referring to Ibn Ḥanbal's funeral); *ibid.*, 503.15, and Ibn Abī Ya'la, *Ṭabaqāt*, 1:15.9 (for the period following his death).

⁶ The most dramatic of these accounts is transmitted from one Aḥmad ibn al-Faraj: people took up arms when Ibn Ḥanbal was taken to be examined, and were treated to a rousing speech of victory by their hero on his release (Abū Nu'aym, *Hilya*, 9:204–6, esp. 204.11, 206.6). This account has rightly been called in question by Jad'ān (*Miḥna*, 151; and cf. Dhahabī's critical comments on another story of the Miḥna told by the same Aḥmad ibn al-Faraj, *Tarjama*, 52.17). For other accounts featuring at least the threat of popular violence, see Ibn al-Jawzī, *Manāqib*, 340.7, 340.15; Ibn Abī Ya'la, *Ṭabaqāt*, 1:240.6; Ibn al-Murtadā (d. 840/1437), *Ṭabaqāt al-Mu'tazila*, ed. S. Diwald-Wilzer, Wiesbaden 1961, 124.2. Töllner in his assessment of the Miḥna relies heavily on these accounts (H. Töllner, *Die türkischen Garden am Kalifenhof von Samarra*, Walldorf-Hessen 1971, 34–6, drawn to my attention by Matthew Gordon).

support from the earliest biographies of Ibn Ḥanbal,⁷ and in any case the sources record no comparable incidents in the decades that follow.⁸ The historical sources for this period make no mention of a Ḥanbalite role in the politics of Baghdad till near the end of the third/ninth century. Yet by the early fourth/tenth century, Ḥanbalite violence was rampant on the streets of Baghdad. This muscular Ḥanbalism was already noted by Goldziher, who spoke caustically but aptly of an evolution from an *ecclesia pressa* to an *ecclesia militans*, with a penchant for ‘fanatical terrorism’.⁹

As it appears in our sources, the new style of Ḥanbalite politics is closely linked to the career of the preacher and demagogue Barbahārī (d. 329/941).¹⁰ He is mentioned as the leader of the Ḥanbalites, and indeed of the Sunnī populace of Baghdad at large, as early as 296/908.¹¹ A few examples may serve to illustrate the range and character of this Ḥanbalite activism. When the celebrated scholar Abū Ja‘far al-Ṭabarī died in 310/923, it is said that he had to be buried at night because the populace, apparently Ḥanbalite, prevented a public funeral, accusing him of Shī‘ism (*rafīḍ*).¹² In 317/929f., a serious riot took place between the Ḥanbalites and their opponents over a contentious point of Koranic interpretation¹³ – and one that we know to have been dear to the heart of Barbahārī.¹⁴ By

⁷ In Ḥanbal’s account, his cousin’s Miḥna draws a large crowd – so much so that the markets are closed (Ḥanbal, *Miḥna*, 67.3); but the crowd is not portrayed as a violent one. In general, early Ḥanbalite sources do not in my experience support Madelung’s view that proto-Ḥanbalism was ‘a militant movement attempting to rule the streets’ (‘The vigilante movement of Sahl b. Salāma’, 336).

⁸ We are told that when Ibn Ḥanbal’s disciple Abū Bakr al-Marrūdhī (d. 275/888) went on *jihād*, he involuntarily acquired a following which was estimated at 50,000 by the time he reached Sāmarrā’ (Khaṭīb, *Ta’rikh Baghdād*, 4:424.9; Ibn Abī Ya‘lā, *Ṭabaqāt*, 1:57.22); but there is no indication of any such support coming into play in the internal politics of Baghdad. Conversely, there is no lack of popular disturbances in this period (see Sabari, *Mouvements populaires*, 58–61, 62, 69), but no indication of a Ḥanbalite role in them.

⁹ I. Goldziher, review of Patton, *Ahmed ibn Hanbal and the Miḥna*, in *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 52 (1898), 158.

¹⁰ For Barbahārī see Laoust, *Profession*, xxxiii–xli (summarized in his article ‘Barbahārī’ in *ET*); Sabari, *Mouvements populaires*, 104–6; J. L. Kraemer, *Humanism in the Renaissance of Islam: the cultural revival during the Buyid age*, Leiden 1986, 61f. The select references to the primary sources in what follows are mostly to be found in these studies.

¹¹ Ibn al-Athīr, *Kāmil*, 8:12.6. Ibn al-Athīr gives him a divergent name (as opposed to *nisba*). The context is the attempted coup in which Ibn al-Mu‘tazz lost his life; neither Ṭabarī nor Ibn al-Jawzī mention Barbahārī in their accounts of this event.

¹² Miskawayh (d. 421/1030), *Tajārib al-umam*, ed. H. F. Amedroz, Cairo 1914–16, 1:84.19 (speaking of the ‘*amma*’); Ibn al-Athīr, *Kāmil*, 8:98.3 (identifying the ‘*amma*’ as the Ḥanbalites, and providing a further motivation for their hostility); but cf. the sceptical comments of F. Rosenthal, *General introduction*, in *The History of al-Ṭabarī*, vol. 1, Albany 1989, 77f.

¹³ Ibn al-Athīr, *Kāmil*, 8:157.22; and see Rosenthal, *General introduction*, 74.

¹⁴ Laoust, *Profession*, lxxix n. 187, citing Ibn Abī Ya‘lā, *Ṭabaqāt*, 2:43.20. The question in dispute is what God means by telling the Prophet: ‘It may be that thy Lord will raise thee up to a laudable station (*maqāman mahmūdān*)’ (Q17:79). The Ḥanbalite view was that

323/935, Barbahārī was unquestionably a powerful man; the caliph himself was appalled at the number of his followers, brought to his notice by their lusty response to their leader's sneeze.¹⁵ There could hardly be a more poignant contrast to Ibn Ḥanbal's dislike of being followed by anyone in the street.¹⁶ Barbahārī and his followers zealously applied their power to taking action against innovators.¹⁷ Or as unsympathetic accounts describe it, the Ḥanbalites went wild: they plundered shops,¹⁸ raided the homes of military leaders and others to search for liquor, singing-girls or musical instruments, challenged men and women seen walking together in public,¹⁹ and fomented ugly assaults on Shāfi'ites.²⁰ The chief of police responded by ordering that no two followers of Barbahārī might gather together in one place, and by making a good number of arrests.²¹ The caliph himself then issued a decree threatening the Ḥanbalites with fire and sword if their misdeeds continued.²² Yet the Ḥanbalites are again referred

on the day of the resurrection, God would place Muḥammad beside Him on His throne (Laoust, *Profession*, 113 n.1). Laoust draws attention to the extensive material on this Ḥanbalite shibboleth collected by Khallāl (*Musnad*, 60–99). This material reveals the earlier history of the controversy in Ḥanbalite circles. Whereas there is no indication that Ibn Ḥanbal himself was exercised by the issue, Ḥanbalite scholars of the following generation were outraged by the heretical views put about in Baghdad by a certain Tirmidhī (for the chronology, see Ahmed's comments in his edition of Khallāl's *Musnad*, 66 n. 1; the absence of any attempt to place the outrage of the disciples in the mouth of the master is, incidentally, a strong indication of the authenticity of Ibn Ḥanbal's responsa). The dispute flared up again in Tarsus in 292/904f. (*ibid.*, 68.14), at a time when it had died down in Baghdad (*ibid.*, 75.16). At an unspecified date, Ṭabarī is reported to have been involved in an unpleasant confrontation with the Ḥanbalites over this question; in the course of it, his house was pelted with enormous numbers of stones (*ḥijāra*) (see I. Goldziher, *Die Richtungen der islamischen Koraninterpretation*, Leiden 1920, 94, 101f., with references; the account is a little suspect, if only because Baghdādī sources would speak of throwing mud bricks (*ājurr*), not stones). The whole issue has now been discussed at some length by Rosenthal (*General introduction*, 71–7, with a translation of part of Ṭabarī's commentary on the verse, *ibid.*, 149–51), and still more recently by Gilliot (C. Gilliot, *Exégèse, langue, et théologie en Islam: l'exégèse coranique de Tabarī*, Paris 1990, 249–54) and van Ess (*Theologie*, 2:642f.). However, van Ess's view that the issue arose in the lifetime of Ibn Ḥanbal is not supported by the texts he cites; and his identification of the hated Tirmidhī with the respected Sunnī traditionist Abū Ismā'īl al-Tirmidhī (d. 280/893) is hardly plausible; the latter was held in high esteem by Khallāl himself (Khaṭīb, *Ta'rikh Baghdād*, 2:44.12), and was buried beside the grave of Ibn Ḥanbal (*ibid.*, 44.16).

¹⁵ For this sneeze and its repercussions, see Ibn Abī Ya'lā, *Ṭabaqāt*, 2:44.16; also Hamadhānī (d. 521/1127), *Takmilat Ta'rikh al-Ṭabarī*, ed. A. Y. Kan'ān, Beirut 1959, 113.15.

¹⁶ Ibn al-Jawzī, *Manāqib*, 282.14. ¹⁷ Ibn Abī Ya'lā, *Ṭabaqāt*, 2:44.15.

¹⁸ Šūlī (d. 335/947), *Akhbār al-Rādī bi'llāh wa'l-Muttaqī lillāh*, ed. J. Heyworth Dunne, Cairo 1935, 65.4 (= trans. M. Canard, Algiers 1946–50, 1:114).

¹⁹ Ibn al-Athīr, *Kāmil*, 8:229.22. If they did not get a satisfactory answer, they beat the offender and handed him over to the chief of police. ²⁰ *Ibid.*, 230.7.

²¹ Miskawayh, *Tajārib*, 1:322.1; and cf. Hamadhānī, *Takmilat Ta'rikh al-Ṭabarī*, 113.12. The latter also mentions Ḥanbalite arson in the Shī'ite quarter of Karkh (*ibid.*, 115.4).

²² Miskawayh, *Tajārib*, 1:322.4. This decree shows Ḥanbalite opposition to the visiting of ('Alid) tombs (*qubūr al-a'imma*) to have been one cause of the trouble (*ibid.*, 322.13).

to as a public nuisance in 327/939, when the chief of police was once more in action against them,²³ and again in 329/941.²⁴ In anecdotal references to the time of Barbahārī, Tanūkhī (d. 384/994) describes how the Ḥanbalites harassed pilgrims seeking to visit Karbalā',²⁵ and tried to prevent the practice of mourning (*nawḥ*) for Ḥusayn and the family of the Prophet – it could be done only with official protection or in secret.²⁶ Barbahārī's Ḥanbalites were thus a serious problem for the police, and a tribulation for Baghdadīs who did not share their values.

Ḥanbalite activism no doubt continued through the Būyid period (334–447/945–1055), despite a lack of explicit attestation. Būyid Baghdad was the scene of repeated clashes between the Sunnī and Shī'ite populations of the city,²⁷ and it is more than likely that the Ḥanbalites played a central role in this conflict.²⁸ Confrontation between Sunnīs and Shī'ites did not, of course, end with the passing of the Būyids; it is enough to note that it remained a feature of the politics of Baghdad to the fall of the 'Abbāsīd caliphate.²⁹

In the early Seljūq period there is also abundant evidence of Ḥanbalite activism on other fronts. Much energy was directed against time-honoured forms of moral turpitude.³⁰ In 461/1069, for example, a Ḥanbalite diarist of Baghdad records that Ibn Sukkara, a prominent Sharīf who seems to have belonged to the Ḥanbalite community, raided two groups in the neighbourhood of the caliphal palace (one unidentifiable, the other a Beduin delegation); he smashed musical instruments and poured out

²³ Šūlī, *Akhhbār*, 135.15 (= trans. Canard, 1:205f.).

²⁴ Šūlī, *Akhhbār*, 198.16 (= trans. Canard, 2:19).

²⁵ Tanūkhī (d. 384/994), *Nishwār al-muḥāḍara*, ed. 'A. al-Shālījī, Beirut 1971–3, 2:231.20.

²⁶ *Ibid.*, 233.6. Barbahārī here orders his followers to seek out and kill a particularly fine performer of this art (*nā'iha*).

²⁷ H. Laoust, 'Les agitations religieuses à Baghdād aux IV^e et V^e siècles de l'Hégire', in D. S. Richards (ed.), *Islamic civilisation 950–1150*, Oxford 1973, 170–5 (for the period from 381/991); Sabari, *Mouvements populaires*, 106–12.

²⁸ Cf. Makdisi, *Ibn 'Aqīl*, 325 n. 1, and the discussion of Ḥanbalite numbers below, notes 48f.

²⁹ See Sabari, *Mouvements populaires*, 119f. (to 488/1095); also Laoust, 'Agitations', 177, 181, 184 (to 485/1092). A few examples must suffice for the subsequent period. Ibn al-Athīr describes a flare-up of violence between quarters in 509/1115f. (*Kāmil*, 10:360.20; that the conflict was between Sunnīs and Shī'ites is strongly suggested by the more elaborate account he gives of the freakish peace of 502/1109, *ibid.*, 329.4). He describes a major conflict between the Shī'ite population of Karkh and the (Sunnī) population of the Bāb al-Baṣra quarter in 569/1173f. (*ibid.*, 11:271.12), and another in 581/1185f. (*ibid.*, 344.16), although Hartmann suggests a reduction in the level of conflict between the communities under the rule of the caliph al-Nāṣir (r. 575–622/1180–1225) (A. Hartmann, *an-Nāṣir li-Dīn Allāh*, Berlin and New York 1975, 196). Pseudo-Ibn al-Fuwaṭī (d. 723/1323) describes a pair of such conflicts in 653/1255 (*al-Hawādith al-jāmi'a*, Baghdad 1351, 276.9; for this work, see *EP*, art. 'Ibn al-Fuwaṭī' (F. Rosenthal)).

³⁰ Sabari, *Mouvements populaires*, 112–14; also Laoust, 'Agitations', 180.

liquor.³¹ This, at least, was Ibn Sukkara's account of his exploits. Some of his victims, however, complained to the caliph that the Sharīf and his associates had attacked their houses and violated their privacy, when in fact, they claimed, they had no liquor in their possession. To this Ibn Sukkara retorted that he had actually seen the wrong (*munkar*) he had acted against³² (sc. before he entered their homes). The matter caused a considerable stir, with responsa flying on the question whether Ibn Sukkara owed his victims compensation (*ḍamān*) for the instruments he had destroyed.³³ Then, in 464/1072, a younger Ḥanbalite scholar, Abū Sa'd al-Baqqāl (d. 506/1112), came upon a singing-girl who had just been performing for a Turk. Undeterred by the military connection, he grabbed her lute and cut its strings; she went back and complained to the Turk, who retaliated by raiding Abū Sa'd's home.³⁴ The incident had repercussions which will concern us shortly.

Alongside this activity against sin in the early Seljūq period, there was also a struggle with heresy in the guise of Ash'arism, now prominent in Baghdad thanks to the patronage of the Seljūq vizier Niẓām al-Mulk (d. 485/1092).³⁵ Thus the same diarist records that in 461/1068 the same Ibn Sukkara took in hand the unseating of a provocative Ash'arite preacher and the smashing of his chair (*kursī*).³⁶ But a more prominent role was played in this struggle by the Sharīf Abū Ja'far (d. 470/1077).³⁷ Makdisi aptly describes him as the 'exemplar type' of the Ḥanbalite activist.³⁸ A great zealot against wrong (*munkar*) in general and heresy in particular, he had the backing of a group of companions who were not easily brushed aside.³⁹

³¹ Makdisi, 'Autograph diary', 281 §108 = 292. For the religious affiliation of Ibn Sukkara, cf. Makdisi, *Ibn 'Aqīl*, 335.

³² Makdisi, 'Autograph diary', 282 §110 = 293. Note that Ibn Sukkara seems to have gone beyond the call of duty even on his own admission by ripping up tambourines (for *ḥarāqa* read *kharaqa*, see above, ch. 5, note 99) – unless, of course, he took an unusually negative view of them. At least one later Ḥanbalite scholar, 'Abd al-Mughīth al-Harbī (d. 583/1187), considered them to be prohibited even at weddings (Ibn Rajab, *Dhayl*, ed. Fiḡ, 1:357.21), and 'Abd al-Ghanī al-Maqdisī (d. 600/1203) is also said to have regarded them as forbidden (*ibid.*, 2:13.18). For an authoritative statement of the mainstream Ḥanbalite view that they are permitted, see Ibn Qudāma, *Mughnī*, 9:174.3.

³³ Makdisi, 'Autograph diary', 282f. §111, §115 = 293f. On compensation, cf. above, ch. 5, note 99.

³⁴ Ibn al-Jawzī, *Muntaẓam*, 8:272.10. This incident was already noted by Goldziher from a later source (I. Goldziher, 'Zur Geschichte der ḥanbalitischen Bewegungen', *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 62 (1908), 18 n.2).

³⁵ For a survey of this confrontation, see Makdisi, *Ibn 'Aqīl*, 340–75; also Laoust, 'Agitations', 178–84, and Sabari, *Mouvements populaires*, 114–18. My references to primary sources in what follows are mostly found in these studies.

³⁶ Makdisi, 'Autograph diary', 14f. §57 = 30f.

³⁷ For his career, see Makdisi, *Ibn 'Aqīl*, 240–8; also Laoust, *Profession*, civ–cviii.

³⁸ Makdisi, *Ibn 'Aqīl*, 240. ³⁹ So Ibn Abi Ya'lā, *Ṭabaqāt*, 2:238.6.

During the major Ḥanbalite–Ash‘arite disturbances of 469/1077, we find him and his companions defending their mosque against an Ash‘arite force, routing the attackers with a barrage of mud bricks.⁴⁰ When the caliph later sought to make peace between the contending parties, the Sharīf refused his overtures; conflicts of interest, he explained, can be patched up, but conflicts of doctrine, where the parties declare each other infidels, cannot be.⁴¹ In 470/1078, after the death of the Sharīf, the conflict was renewed: an Ash‘arite preacher insulted the Ḥanbalites in a market-place, and was hit by a mud brick for his pains. (The mud brick was to the medieval inhabitants of Baghdad what the stone is to the geologically better endowed populations of the western Fertile Crescent.) The incident led to extensive fighting between quarters, and to the involvement of the military.⁴² These hostilities between Ḥanbalism and Ash‘arism continued into the following century and beyond.⁴³ They upstaged, but did not end, the older Ḥanbalite conflict with Mu‘tazilism.⁴⁴ Thus in 456/1064, a group of ‘companions of ‘Abd al-Ṣamad’ attacked a leading Mu‘tazilite scholar of Baghdad on his home ground; after insulting and wounding him, they fled when his cries seemed likely to rouse the neighbourhood.⁴⁵

This record suggests that the Ḥanbalites of the fourth/tenth and fifth/eleventh centuries were in no great awe of the state – though there seems to be only one case in which they actually repudiated their allegiance to it.⁴⁶ But if they were no longer appalled to find themselves in

⁴⁰ Ibn al-Jawzī, *Muntaẓam*, 8:305.19. ⁴¹ *Ibid.*, 306.21. ⁴² *Ibid.*, 312.16.

⁴³ In 521/1127f., for example, there were considerable commotions arising from the activities of an Ash‘arite preacher (Ibn al-Jawzī, *Muntaẓam*, 10:6.1); at one point he encountered a hail of bricks (or so I understand *rujima* in this context) and animal corpses in the market-place (*ibid.*, 6.13; a Ḥanbalite involvement in the disturbances of this year is explicit, *ibid.*, 6.16). These events were already recounted by Goldziher from a later source (‘Zur Geschichte der ḥanbalitischen Bewegungen’, 15f.). In 561/1165f. there were new troubles between Ḥanbalites and Ash‘arites, again brought on by a hostile preacher (Sibt ibn al-Jawzī (d. 654/1257), *Mir‘āt al-zamān*, vol. 8, Hyderabad 1951–2, 262.15). Six years later the Ash‘arite preacher Abū ‘l-Muẓaffar al-Baruwī (d. 567/1172) was reputed to have been poisoned by the Ḥanbalites because of his fanatical hostility towards them (*ibid.*, 292.8; this story too was known to Goldziher from a later source, see ‘Zur Geschichte der ḥanbalitischen Bewegungen’, 14). In the next century the Ḥanbalite ‘Abd al-Laṭīf ibn ‘Alī al-Baghdādī (d. 647/1249) was interrogated and put in prison for manifesting his adherence to traditionalist theology (Ibn Rajab, *Dhayl*, ed. Fiqī, 2:247.12).

⁴⁴ See Makdisi, *Ibn ‘Aqīl*, 327–40; also Laoust, ‘Agitations’, 179f., and Sabari, *Mouvements populaires*, 114f.

⁴⁵ Ibn al-Jawzī, *Muntaẓam*, 8:235.23. For this traditionalist vigilante group and its exploits on this and other occasions, see Makdisi, *Ibn ‘Aqīl*, 332–7. The group, though named after a well-known Shāfi‘ite of the previous century, seems to have included Ḥanbalites among its members.

⁴⁶ Sabari adduces an account of the events of 464/1072 which culminates in a scene in which the Sharīf Abū Ja‘far and his followers repudiate their allegiance to the caliph (*Mouvements populaires*, 112f., based on Sibt ibn al-Jawzī (d. 654/1257), *Mir‘āt al-zamān*, ms. Paris,

confrontation with the state, they were also, by the middle of the fifth/eleventh century, more willing to seek its cooperation in the duty of forbidding wrong. In 464/1072, as we saw, Abū Saʿd al-Baqqāl got himself into trouble by smashing a lute whose owner was dangerously well connected; the Ḥanbalites then gathered to consider what should be done. But instead of continuing with direct action, they addressed themselves to the caliph, demanding that he take measures against the brothels (*mawākhīr*), prostitutes (*muḥṣidāt*) and liquor-sellers. The caliph did what he could to comply – the problem being that the brothels were under the protection of the Seljūq governor of the city.⁴⁷ In this instance at least, the Ḥanbalites were prepared to take the state seriously as an agency for the performance of the duty.

This picture of Ḥanbalite activism in the fourth/tenth and fifth/eleventh centuries is in sharp contrast to the attitudes of Ibn Ḥanbal himself. How are we to explain the difference? It is not difficult to suggest the outline of an explanation. Two major changes had taken place in the circumstances of the Ḥanbalite community in Baghdad.

First, there were now many more Ḥanbalites. The geographer Muqaddasī in the second half of the fourth/tenth century tells us that Ḥanbalites and Shīʿites predominated in the population of the city,⁴⁸ and a century later the Shāfiʿite Nizām al-Mulk allegedly conceded the Ḥanbalite predominance.⁴⁹ Modern scholars have followed suit.⁵⁰ The Ḥanbalites are thus likely to have derived increased confidence from their numbers. At the same time, some part of the Ḥanbalite expansion must have taken place through the

Bibliothèque Nationale, Arabe 1,506, f. 136a.11; for the events of this year, see also the following note). This remarkable incident does not seem to be cited by other scholars who have written on this period.

⁴⁷ Ibn al-Jawzī, *Muntaẓam*, 8:272.13; and see Makdisi, *Ibn ʿAqīl*, 152f. Such action by the authorities was not entirely isolated; for example it recurred in 467/1075 (Ibn al-Jawzī, *Muntaẓam*, 8:293.24), 478/1085f. (*ibid.*, 9:17.9), and 479/1086 (*ibid.*, 26.6). In the first case the *muḥtasib* was involved. For two instances of Ḥanbalite exhortations to the authorities to forbid wrong in 461/1069, see Makdisi, 'Autograph diary', 284f. §126 = 296, 287 §130 = 298f.

⁴⁸ Muqaddasī (*fl.* second half of the fourth/tenth century), *Aḥsan al-taqāsīm*, ed. M. J. de Goeje, Leiden 1906, 126.5. Compare also the statement of Ibn al-Athīr, in the context of the burial of Ṭabarī, that the number of Ḥanbalites in Baghdad was uncountably large (*Kāmil*, 8:98.12).

⁴⁹ Ibn al-Jawzī, *Muntaẓam*, 8:312.9, translated in Makdisi, *Ibn ʿAqīl*, 365. The statement forms part of a letter which, if genuine, dates from the events of 469–70/1077–8 (*ibid.*, 366). In another letter, Nizām al-Mulk speaks of the large numbers of the Ḥanbalites in Baghdad (*kathrat ʿadadīhim fī tilka ʿl-buḡʿa*, Sibṭ ibn al-Jawzī, *Mirʿāt*, ms. Paris, f. 169a.8, translated in Makdisi, *Ibn ʿAqīl*, 360).

⁵⁰ *Ibid.*, 325 n. 1, 368; Laoust, 'Agitations', 179; W. Madelung, 'The spread of Māturīdism and the Turks', in *Actas do IV congresso de estudos árabes e Islâmicos, Biblos*, 46 (1970), 110 n. 3.

absorption of other traditionalist and popular circles of the third/ninth century, circles among which more activist dispositions had been in evidence – witness the events of 201/817 and 231/846.⁵¹ Thus the make-up of the Ḥanbalite community had changed. We are told that a lower-class follower of Barbahārī once happened to pass by a heretic after drinking too much. The heretic was unwise enough to exclaim in disgust: ‘These Ḥanbalites!’ The drunk then turned back and explained to the heretic that there were three classes of Ḥanbalites: ascetics; scholars; and a third class, who slapped opponents like the heretic. He then proceeded to demonstrate his membership of the third class.⁵² Though we might wish for a more sober analysis of the social character of Ḥanbalism, it is clear that the Ḥanbalites had become both more numerous and more violent.

Secondly, the state was now weaker. Early Ḥanbalism had taken shape in the metropolis of an empire. In the fourth/tenth and fifth/eleventh centuries, by contrast, the caliphate was a third-rate state whose powers were extensively, though unevenly, usurped by military regimes – those established by its own generals, by the Būyids, and finally by the Seljūqs. This meant two things. On the one hand, the caliphal state became less formidable, while the bifurcation of power provided endless opportunities for political manoeuvring by elements of Baghdādī society.⁵³ And on the other hand, a certain bond was established between the Ḥanbalites and the caliphate: they needed each other in the face of local Shīʿites and alien military rulers.⁵⁴ It is thus not hard to see how the Ḥanbalites could have lost a great deal of respect for political authority, and yet developed a new warmth towards the caliphate – their caliphate. Both these tendencies come together in an observation which Ibn al-Baqqāl (d. 440/1048) saw fit to make in the caliphal assembly (*dīwān*): the caliphate is like a tent with the Ḥanbalites as its ropes – if the ropes fail, the tent collapses.⁵⁵

One instance of this rapprochement was the public alignment of the caliphate with traditionalist doctrine that marked the later part of the reign of al-Qādir (r. 381–422/991–1031) and that of his successor al-Qaʿim

⁵¹ See above, ch. 5, notes 172–4, 177f., 188–94. ⁵² Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:43.16.

⁵³ This is a recurrent theme in the history of the period (see, for example, Sabari, *Mouvements populaires*, 108, and Makdisi, *Ibn ʿAqīl*, 363).

⁵⁴ The question arises whether improving relations between the Ḥanbalite elite and the authorities widened the gap between this elite and the Ḥanbalite masses. The opening up of such a gap is claimed by Glassen (see E. Glassen, *Der mittlere Weg: Studien zur Religionspolitik und Religiosität der späteren Abbasiden-Zeit*, Wiesbaden 1981, 61, 113, and cf. also 98f., 101); and she adduces sources which indeed attest the existence of a certain alienation of elite from masses in the late fifth/eleventh century (see especially Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:30.3, on an incident of 470/1077, and Ibn al-Jawzī, *Muntaẓam*, 9:48.9, on the disorders of 482/1089).

⁵⁵ Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:190.1; see Makdisi, *Ibn ʿAqīl*, 297.

(r. 422–67/1031–75).⁵⁶ There is specific evidence for a Ḥanbalite role in a reaffirmation of the ‘Qādirī creed’ under al-Qā’im,⁵⁷ and for subsequent Ḥanbalite identification with it.⁵⁸

Another indication of the change can be seen in Ḥanbalite attitudes towards state employment. Ibn Ḥanbal, of course, was against it. When a man burdened by debt asked him if he should pay off what he owed by entering the service of the authorities (*hā’ulā’*), the answer was negative; after all, he would not actually die of debt.⁵⁹ A commentator as late as Ibn ‘Aqīl (d. 513/1119) still regarded the taking of public office as untypical of Ḥanbalite scholars, in contrast to their Ḥanafī and Shāfi’ite peers.⁶⁰ Yet here too there are indications of change. One case in point is the office of judge. Ibn Ḥanbal himself, of course, would not even consider such office,⁶¹ and when a group of judges came to visit him on his death-bed, they were not admitted.⁶² His elder son Šālīḥ (d. 266/880) had his father’s principles but the morals of an ordinary mortal; he wept with shame when debt and too large a family forced him to don the black uniform of the ‘Abbāsīd establishment⁶³ and take office as judge of Iṣbahān – what would his father think of him if he could see him now?⁶⁴ By contrast, there were no tears when Abū Ya’lā ibn al-Farrā’ (d. 458/1066) accepted the office in Baghdad. Naturally he refused until pressed, and stipulated various conditions, but in the manner of a man who knows a topos when he enacts one;⁶⁵ Ḥanbalite

⁵⁶ For the emergence and promulgation of the ‘Qādirī creed’ (*al-i’tiqād al-Qādirī*), see Makdisi, *Ibn ‘Aqīl*, 299–310.

⁵⁷ *Ibid.*, 346, citing Ibn Abī Ya’lā, *Ṭabaqāt*, 2:197.17, on the role of Abū Ya’lā ibn al-Farrā’ (d. 458/1066).

⁵⁸ Makdisi, *Ibn ‘Aqīl*, 363, translating Ibn al-Jawzī, *Muntaẓam*, 8:307.1.

⁵⁹ Ibn Abī Ya’lā, *Ṭabaqāt*, 1:223.14. Compare his refusal to greet Aḥmad ibn Sa’īd al-Ribāṭī (d. after 243/857), who had been appointed to a *ribāṭ* by ‘Abdallāh ibn Ṭāhir (r. 213–30/828–45) (Ibn al-Jawzī, *Manāqib*, 272.6; Sam’ānī, *Ansāb*, 6:69.11).

⁶⁰ The passage is translated in Makdisi, *Ibn ‘Aqīl*, 478, from the quotation in Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:189.17; it appears already in Ibn al-Jawzī, *Manāqib*, 505.7.

⁶¹ Shāfi’ī (d. 204/820) is reputed to have been tasteless enough to attempt to recruit the young Ibn Ḥanbal to be *qāḍī* of the Yemen for Hārūn al-Rashīd (*ibid.*, 270.7).

⁶² Dhahabī, *Tarjama*, 77.10.

⁶³ Ibn Ḥanbal used to wear white (Khaṭīb, *Ta’rikh Baghdād*, 4:416.10; Dhahabī, *Tarjama*, 12.7, 25.7), and he omitted to return the greeting of a man dressed in black (Ibn Abī Ya’lā, *Ṭabaqāt*, 1:155.13). The prospect of having to wear black was one of his worst nightmares during his unwilling visit to al-Mutawakkil’s court (Dhahabī, *Tarjama*, 66.4, 67.11). Šālīḥ compromised by taking off his uniform on returning home from his law-court (see the references in the next note).

⁶⁴ Ibn Abī Ya’lā, *Ṭabaqāt*, 1:174.4; Khaṭīb, *Ta’rikh Baghdād*, 9:318.6 (identifying the source of the anecdote as Khallāl’s *Jāmi’*). He had previously been *qāḍī* of Tarsus (Ibn Abī Ya’lā, *Ṭabaqāt*, 1:175.16).

⁶⁵ *Ibid.*, 2:199.1 (where Ibn Abī Ya’lā is writing about his own father); and see Makdisi, *Ibn ‘Aqīl*, 235f. For the topos, see A. J. Wensinck, ‘The refused dignity’, in T. W. Arnold and R. A. Nicholson (eds.), *A volume of Oriental studies presented to Edward G. Browne*, Cambridge 1922, esp. 497–9.

posterity felt no discomfort in referring to him by his official title as the Qāḍī Abū Yaʿlā. Whether this shift was accompanied by an actual increase in the number of Ḥanbalite judges is harder to tell. Ṣāliḥ was not the only Ḥanbalite to take such office in the generation after Ibn Ḥanbal,⁶⁶ and Ḥanbalite judges were by no means common even in the fifth/eleventh century.⁶⁷ But Ḥanbalite attitudes had changed.

This change can also be related to indications that Ḥanbalite scholars now had more extensive dealings with the court. In the fourth/tenth century we hear little of such ties. We are told that ʿAbd al-ʿAzīz ibn Jaʿfar (d. 363/974) enjoyed the favour of the ruler, presumably al-Muṭṭīʿ (r. 334–63/946–74),⁶⁸ and that Ibn Ḥāmid (d. 403/1012f.) could play a civilised role in a religious disputation at the caliph’s court.⁶⁹ But beyond this we are scraping the barrel.⁷⁰ In the fifth/eleventh century, by contrast, such relations are more commonplace. Even Abū Saʿd al-Baqqāl, whom we met above in connection with his assault on a singing-girl’s lute,⁷¹ had another side to him: he used to preach in the presence of the caliph al-Mustaẓhir (r. 487–512/1094–1118) and other rulers,⁷² and was not above making an approving reference to the Sasanian emperor Anūshirwān (ruled AD 531–79) in a sermon preached to Niẓām al-Mulk.⁷³ But the most striking instance was the scholar Abū Muḥammad al-Tamīmī (d. 488/1095), who enjoyed a career as a courtier and diplomat⁷⁴ which was almost without precedent in Ḥanbalite circles.⁷⁵ Already as a young man, he had gone along with the use of the un-Islamic title ‘king of kings’ in the Friday

⁶⁶ Ṣāliḥ’s younger brother ʿAbdallāh (d. 290/903), the transmitter of the *Musnad*, was *qāḍī* of Ḥims according to one source (Ibn Ḥazm, *Jamhara*, 319.8), and of the Khurāsān road according to another (Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:188.8). His youngest brother Saʿīd was *qāḍī* of Kūfa (*ibid.*, 2:49.19), or deputised for one (Wakīʿ, *Quḍāt*, 3:199.2). Ibn Hanbal’s pupil Aḥmad ibn Muḥammad al-Barthī (d. 280/893f.) was a *qāḍī* in Baghdad in the days of al-Muʿtamid (r. 256–79/870–92) (Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:66.1).

⁶⁷ Makdisi’s biographical notices show five Ḥanbalite *qāḍīs* (in addition to Abū Yaʿlā) with death dates ranging from 428/1037 to 513/1119 (*Ibn ʿAqīl*, 238, 251, 256, 256f., 269).

⁶⁸ Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:122.3. This caliph is said to have played a part in deciding where ʿAbd al-ʿAzīz was to be buried (*ibid.*, 124.12), and to have had a scheme for erecting a dome over the grave of Ibn Ḥanbal (*ibid.*, 251.11). ⁶⁹ *Ibid.*, 177.6.

⁷⁰ There are two figures whom Ibn Abī Yaʿlā describes as enjoying close ties with the caliph al-Rāḍī (r. 322–9/934–40, at the height of Barbahārī’s commotions). Whatever the historicity of the anecdotes he relates, both figures are too well known in other capacities for us to see them as present at court in the role of Ḥanbalite scholars. One is the philologist Ibn al-Anbārī (d. 328/940) (Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:71.16, and cf. 71.2), and the other is the historian Ismāʿīl ibn ʿAlī al-Khūṭabī (d. 350/961) (*ibid.*, 119.2). In both cases the anecdotes are also related by the Khaṭīb (*Taʾrīkh Baghdad*, 3:184.20, and cf. 184.8; *ibid.*, 6:305.19), and they were doubtless taken from his work by Ibn Abī Yaʿlā.

⁷¹ See above, note 34. ⁷² Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:133.5.

⁷³ *Ibid.*, 134.17. ⁷⁴ See Makdisi, *Ibn ʿAqīl*, 269–74, esp. 271f.

⁷⁵ There are some indications that Abū ʿAlī al-Hāshimī (d. 428/1037) had played a similar role (see Makdisi, *Ibn ʿAqīl*, 269).

sermon (*khutba*);⁷⁶ Laoust aptly describes him as the representative of an ‘hanbalisme gouvernemental plus opportuniste et plus souple’.⁷⁷

This trend was to become even more pronounced in the next century and a half, despite or because of the revival of caliphal power against a background of continuing Ḥanbalite demographic weight in the city.⁷⁸ One Ḥanbalite scholar, Abū Maṣṣūr al-Jawālīqī (d. 540/1145), was in effect chaplain to the caliph al-Muṭtafi (r. 530–55/1136–60).⁷⁹ Another, the famous Ibn Hubayra (d. 560/1165), was for sixteen years the caliph’s vizier, and a very successful one;⁸⁰ and despite the more catholic – not to say idiosyncratic – ideological style of the caliph al-Nāṣir (r. 575–622/1180–1225), another Ḥanbalite scholar held the same office in 583–4/1187–8, though not with the same panache.⁸¹ In the last decades of the caliphate, Ḥanbalites seem to have held positions in and around the state in larger numbers than ever before.⁸² They served in various capacities, from that of mayor of the palace (*ustādh dār al-khilāfa*) downwards.⁸³ They likewise took office as judges⁸⁴ and censors (*muḥtasibs*).⁸⁵ Others were in one way or another close to the persons of the last caliphs; Hibatullāh ibn al-Ḥasan al-Ashqar (d. 634/1236), a teacher of Koranic recitation, boasted that his former pupils included the caliph, the vizier and the treasurer.⁸⁶ And

⁷⁶ Ibn al-Jawzī, *Muntaẓam*, 8:97.19, under the events of the year 429/1037f. (Ibn al-Jawzī refers to him only by his *nisba*, but no other member of the family can plausibly be understood here.) For this incident and its background, see W. Madelung, ‘The assumption of the title Shāhānshāh by the Būyids and “the reign of the Daylam” (*dawlat al-Daylam*)’, *Journal of Near Eastern Studies*, 28 (1969), esp. 181–3. Abū Ya‘lā devotes a section to the issue in his monograph on *al-amr bi’l-ma‘rūf* (*Amr*, f. 116a.3).

⁷⁷ Laoust, ‘Agitations’, 179.

⁷⁸ Yāqūt (d. 626/1229) comments on the solidly Ḥanbalite populations of the Bāb al-Baṣra and Nahr al-Qallā’in quarters (*Mu‘jam al-buldān*, ed. F. Wüstenfeld, Leipzig 1866–73, 4:255.11). Cf. also M. L. Swartz, ‘The rules of the popular preaching in twelfth-century Baghdad, according to Ibn al-Jawzī’, in G. Makdisi et al., *Prédication et propagande au Moyen Âge: Islam, Byzance, Occident*, Paris 1983, 226.

⁷⁹ Ibn Rajab, *Dhayl*, ed. Laoust and Dahan, 1:244.13, and cf. 245.7.

⁸⁰ See H. Mason, *Two statesmen of mediaeval Islam*, The Hague and Paris 1972, part I, and *ET*, art. ‘Ibn Hubayra’ (G. Makdisi). ⁸¹ Hartmann, *an-Nāṣir*, 181–4, 285.

⁸² For the role of Ḥanbalites at the court of al-Nāṣir, see *ibid.*, 180–95; and see, more generally, Laoust, ‘Le hanbalisme sous le califat de Bagdad’, 116–21.

⁸³ Ibn Rajab, *Dhayl*, ed. Fiqī, 2:48.5, 67.5, 121.14, 163.11, 176.9, 181.16, 202.4, 211.14, 218.14, 247.14, 248.10, 258.8, 262.10, 285.3. For Ḥanbalites as diplomats, see *ibid.*, 39.5, 262.11, and Hartmann, *an-Nāṣir*, 191f. (on Muḥyī ‘l-Dīn ibn al-Jawzī (d. 656/1258), the son of the celebrated preacher).

⁸⁴ Ibn Rajab, *Dhayl*, ed. Fiqī, 2:69.20, 121.14, 190.11, 265.22. Jamāl al-Dīn ibn al-Farrā’ (d. 611/1214), a great-grandson of the famous Abū Ya‘lā ibn al-Farrā’, was a fourth-generation *qāḍī* (*ibid.*, 76.16). (Here and elsewhere, I have not always distinguished between full and deputy *qāḍīs*.)

⁸⁵ *Ibid.*, 121.14, 213.1, 258.17, 261.16, 262.9, 262.13. These include a son and three grandsons of Ibn al-Jawzī (see Hartmann, *an-Nāṣir*, 190–2, 290, and H. Laoust, ‘Le hanbalisme sous les Mamlouks bahrides’, *Revue des Etudes Islamiques*, 28 (1960), 1 n. 2).

⁸⁶ Ibn Rajab, *Dhayl*, ed. Fiqī, 2:211.20.

in the last quarter-century of the caliphate, the black economy of the 'Abbāsīd state was increasingly supplemented by the grey area of salaried employment in quasi-official institutions of learning, above all the Mustanṣiriyya (established in 631/1234). A good many Ḥanbalite scholars took advantage of these new opportunities.⁸⁷ There were still Ḥanbalites who maintained a traditional distance from the state; thus Shaykh Sa'd al-Miṣrī (d. 592/1196), who lived in Baghdad, would not visit the homes of potentates (*salāṭīn*).⁸⁸ But we hear little from such conservatives. All in all, we have here a period in which the role played by the Baghdādī Ḥanbalites in the state was greater than ever before – or since.⁸⁹

At times, moreover, this symbiosis seems to have involved more than just the career-lines of individual Ḥanbalite notables. The policies of Ibn Hubayra and of the caliph al-Mustaḍīr (r. 566–75/1170–80) have been described as attempts to establish the power of the caliphate on a popular base through an appeal to the traditionalist loyalties of the populace.⁹⁰ The history of this relationship between caliph and populace remains to be written, if indeed it can be.⁹¹ But one significant figure in it, the preacher

⁸⁷ *Ibid.*, 213.12, 219.20, 246.5, 248.9, 249.13, 259.18, 261.16, 262.9, 262.14 (all scholars who died in or before 656/1258). One Ḥanbalite, Abū Ṣāliḥ al-Jīlī (d. 633/1236), was given control over the entire *madrasa* system of Baghdad, and hired and fired even in the staunchly Shāfi'ite Niẓāmiyya (*ibid.*, 190.23; on this grandson of 'Abd al-Qādir al-Jīlī, see Hartmann, *an-Nāṣir*, 194f.). The institution of the *madrasa* was not, of course, new to the Ḥanbalites of Baghdad in this period; for its role during the lifetime of Ibn al-Jawzī, see A. Hartmann, 'Les ambivalences d'un sermonnaire ḥanbalite', *Annales Islamologiques*, 22 (1986), 62f., 66.

⁸⁸ Ibn Rajab, *Dhayl*, ed. Fiḳī, 1:385.23. Cf. also *ibid.*, 326.23, on 'Aṭṭār Shaykh Hamadhān (d. 569/1173), who never accepted appointment to a *madrasa* or *ribāṭ* (for the latter, cf. above, note 59).

⁸⁹ Few Ḥanbalites entered the bureaucracy under Mongol rule (for a couple of instances, see Ibn Rajab, *Dhayl*, ed. Fiḳī, 2:291.20, 429.9), or even took the office of *ḥisba* (for an instance, see *ibid.*, 353.18). There were still Ḥanbalite *qāḍīs* (*ibid.*, 373.22, 411.6, 413.17, 436.5, 441.17), and Ḥanbalite scholars still took positions in the Mustanṣiriyya and other institutions of learning (see, for example, *ibid.*, 314.6, 317.23, 340.3, 344.7, 344.14, 374.1). But the symbiosis of late 'Abbāsīd times had fallen apart. Ibn al-Fuwaṭī (d. 723/1323) was felt to have gone too far in eulogising the Mongols and their henchmen (*ibid.*, 375.19), whereas no such reservations are expressed with regard to Muḥyī 'l-Dīn ibn al-Jawzī's weekly eulogy of the caliph (*ibid.*, 259.8). Similarly, Ṣafī al-Dīn al-Baghdādī (d. 739/1338) gave up a career in the bureaucracy to return to the world of learning (*ibid.*, 429.9), whereas Muḥyī 'l-Dīn had combined the two without apparent strain. I have no information on these matters in later centuries.

⁹⁰ M. L. Swartz (ed. and trans.), *Ibn al-Jawzī's Kitāb al-quṣṣās wa'l-mudhakkirīn*, Beirut 1971, introduction, 28, 30; his documentation of this thesis is not, however, compelling. Cf. also Hartmann's remark: 'Die Ḥanbaliya hatte sich zum Wortführer der Legitimität des 'abbāsīdischen Chalfats in Bagdad entwickelt' (*an-Nāṣir*, 174).

⁹¹ For the role of the populace in ridding the caliph of an overmighty general in 570/1175, see Swartz, *Quṣṣās*, 32–4; but contrast the unpopularity of the Ḥanbalite vizier Ibn Yūnus a generation later (Hartmann, *an-Nāṣir*, 184). The basis of caliphal military power (such as it may have been) in this period also needs looking into (cf. *ibid.*, 178f., on al-Nāṣir's Turkish – and Ḥanafī – *mamlūks*).

Ibn al-Jawzī (d. 597/1201), is well known, and his relations with the caliphate have received some attention from scholars.⁹² As a preacher he was immensely successful, the favourite of caliph and populace alike.⁹³ His position was more or less an official one.⁹⁴ He rejoiced at the presence of the great and powerful at his sermons,⁹⁵ and does not seem to have gone out of his way to tell them what they did not want to hear⁹⁶ – though at one point he wrote a tract against al-Nāṣir, doubtless when his relations with him turned sour after the fall of Ibn Yūnus.⁹⁷ Perhaps most striking of all, he takes pleasure in telling us how in 571/1176 he was given executive powers by the caliph to mount a crackdown on manifestations of extreme Shi‘ism (*rafāʿ*); the operation was to include the permanent imprisonment of offenders, and the demolition of their homes.⁹⁸ We have come a long way from the quietism of Ibn Ḥanbal on the one hand, and the rabble-rousing of Barbahārī on the other.

The more we hear about the entanglement of the Ḥanbalites in the web of direct and indirect state patronage, the less we tend to hear about forbidding wrong. Few Ḥanbalites are described as engaging in the activity in the last century or so of caliphal rule – though these few seem to have gone about it with some spirit.⁹⁹ Maḥmūd al-Na‘āl (d. 609/1212) was described in 572/1176f. as the leader of a group that took horrendous risks in the cause of duty. He once confronted a gathering of emirs and destroyed their supply of liquor; he was several times beaten up in the course of such incidents.¹⁰⁰ Another well-known performer was Ishāq al-‘Althī¹⁰¹ (d. 634/1236), who confronted everyone from the caliph downwards, and spent

⁹² See Swartz, *Quṣṣās*, 27–34; Hartmann, *an-Nāṣir*, 186–9; and S. Leder, *Ibn al-Ḡauzī und seine Kompilation wider die Leidenschaft*, Beirut 1984, 31–8. Such references to primary sources as appear in what follows are mostly found in these discussions.

⁹³ His preaching, as enthusiastically described by the traveller Ibn Jubayr (d. 614/1217), was pure theatre – exquisitely crafted, beautifully stage-managed, and emotionally well orchestrated (*Riḥla*, ed. W. Wright and M. J. de Goeje, Leiden and London 1907, 220–5; see also Swartz, ‘The rules of the popular preaching’, esp. 228–30, and Hartmann, ‘Les ambivalences d’un sermonnaire ḥanbalite’, 84–90).

⁹⁴ See Swartz, *Quṣṣās*, 31, and Leder, *Leidenschaft*, 35, for his position under al-Mustaḍīr. Earlier he had preached to the public at the home of Ibn Hubayra (Swartz, *Quṣṣās*, 28, and Leder, *Leidenschaft*, 32).

⁹⁵ *Ibid.*, 37. Cf. Ibn al-Jawzī’s account of his after-dinner speech to the caliph and assembled dignitaries in 571/1176 (*Muntaẓam*, 10:259.22).

⁹⁶ Note the flattering reference to the listening caliph as ‘the perfect ruler’ (*al-imām al-kāmil*) in Ibn Jubayr’s account of his preaching (*Riḥla*, 224.2, and cf. 223.2).

⁹⁷ Hartmann, *an-Nāṣir*, 188. ⁹⁸ Ibn al-Jawzī, *Muntaẓam*, 10:259.4.

⁹⁹ For earlier performers of the duty, see above, note 3; also below, note 112.

¹⁰⁰ Ibn Rajab, *Dhayl*, ed. Fiqī, 2:64.7, noted in Laoust, ‘Le hanbalisme sous le califat de Bagdad’, 118 n. 326.

¹⁰¹ For Ishāq al-‘Althī, see *ibid.*, 120, and Hartmann, *an-Nāṣir*, 192. (Both give the *nisba* as ‘Ulthī; but the vocalisation with *fatha* is specified in Yāqūt, *Mu‘jam*, 3:711.2, and Ibn Rajab, *Dhayl*, ed. Fiqī, 1:391.14.)

some time in prison in consequence; he wrote epistles in performance of the duty to the caliph and others.¹⁰² Another ‘Althī, ‘Abd al-Raḥīm ibn Muḥammad (d. 685/1286), carried out the duty (like Maḥmūd al-Na‘āl) with the help of a group of friends and followers.¹⁰³ Thereafter there is little mention of forbidding wrong among the Ḥanbalites of Baghdad.¹⁰⁴

3. ḤANBALITE THEORY

In view of his historical role, it would be interesting to have a substantial account of Barbahārī’s doctrine of forbidding wrong. But we have only a couple of incidental statements, both familiar in content. The first says that the duty is obligatory, except against someone whose sword or cudgel one fears.¹⁰⁵ The second states that it is to be performed by hand, tongue and heart, without use of the sword, and makes passing mention of privacy.¹⁰⁶ Both statements derive from a work of Barbahārī’s characterised by expressions of a political quietism indistinguishable from Ibn Ḥanbal’s;¹⁰⁷ neither gives any hint of the activities in which Barbahārī and his followers were engaged on the streets of Baghdad.

The views of many later Ḥanbalite figures are no better represented, though sometimes more interesting. It seems that Ibn Baṭṭa (d. 387/997) held that a man killed taking a stand against a wrong (*man ankara munkaran fa-qutila*) died a martyr (*shahīd*).¹⁰⁸ A quotation from a work of Ibn ‘Aqīl which is largely lost stresses the centrality and exigence of the duty.¹⁰⁹ Ibn Hubayra offers what may well have been an original exegesis

¹⁰² *Ibid.*, 2:205.5.

¹⁰³ *Ibid.*, 316.8; Salāmī (d. 774/1372), *Ta’rīkh ‘ulamā’ Baghdād*, ed. ‘A. al-‘Azzāwī, Baghdad 1938, 92.15. (I assume him already to have been active before the fall of the caliphate; he was born in 612/1215.)

¹⁰⁴ For a couple of bare references, see Ibn Rajab, *Dhayl*, ed. Fiqī, 2:385.11, 446.20. Abū Ḥafṣ Sirāj al-Dīn (d. 749/1349), who lived in both Baghdad and Damascus, would perform the duty and confront the powerful (*al-kibār*) with things they would have preferred not to hear (Salāmī, *Ta’rīkh*, 162.7). ¹⁰⁵ Ibn Abī Ya’lā, *Ṭabaqāt*, 2:35.11.

¹⁰⁶ *Ibid.*, 35.16. For the view that the duty may not be performed with the sword, see above, ch. 5, note 109, and cf. the anonymous view reported in Ash‘arī (d. 324/935f.), *Maqālāt al-islāmiyyīn*, ed. H. Ritter, Wiesbaden 1963, 452.4.

¹⁰⁷ Ibn Abī Ya’lā, *Ṭabaqāt*, 2:21.19, 22.1, 34.1, 36.10 (but note the enthusiastic endorsement of Aḥmad ibn Naṣr, *ibid.*, 37.12). The work in question is Barbahārī’s *Sharḥ Kitāb al-sunna* (*ibid.*, 18.18).

¹⁰⁸ Aḥmad ibn ‘Uthmān al-Kabshī states that this was the view of his teacher, whom Abū Ya’lā infers to be Ibn Baṭṭa (Abū Ya’lā, *Amr*, f. 103a.3; for this pupil of Ibn Baṭṭa, see Ibn Abī Ya’lā, *Ṭabaqāt*, 2:167.19).

¹⁰⁹ The passage is quoted indirectly from Ibn ‘Aqīl’s *Funūn* in Saffārīnī (d. 1188/1774f.), *Ghīdhā’ al-albāb*, ed. M. ‘A. al-Khālīdī, Beirut 1996, 1:164.25; it appears also in a text by the Wahhābī Shaykh ‘Abd al-Raḥmān ibn Hasan (d. 1285/1869) (*Majmū‘at al-rasā’il wa’l-masā’il al-Najdiyya*, Cairo 1344-9, 4:414.1). See also G. Makdisi, *Ibn ‘Aqīl: religion and culture in classical Islam*, Edinburgh 1997, 168f.

of a difference of wording between Q28:20 and Q36:20; while the details are not worth going into, the effect is to underline the importance of the duty, and to emphasise the merit of facing death in the course of it, and of coming from afar to perform it.¹¹⁰ He likewise muses that, but for the existence of malefactors, there would be no opportunity for the performer of the duty to show his mettle.¹¹¹ And on one occasion he considered it his duty to leave a distinguished scholarly gathering at his home to administer a reproof for a cry that had gone up in the private quarters on the death of his infant son.¹¹² In contrast to the statements of Barbahārī, this material is distinguished by a tone that is perceptibly different from that of Ibn Ḥanbal's responsa; but these attestations are too fragmentary to mean very much.¹¹³

Against this background, it is encouraging to find two Baghdādī Ḥanbalites who offer readily accessible formal accounts of forbidding wrong within the framework of larger works. One is the well-known Qāḍī Abū Ya'lā ibn al-Farrā' (d. 458/1066).¹¹⁴ The other is the Ṣūfī 'Abd al-Qādir al-Jīlī (d. 561/1166),¹¹⁵ the eponym of the Qādirī order. Of the two, Abū Ya'lā is in Ḥanbalite terms the more authoritative, and I shall accordingly give his views priority. But much material is common to both accounts, and it is likely that 'Abd al-Qādir borrowed directly or indirectly from his predecessor. Abū Ya'lā also devoted a separate monograph to forbidding wrong, most of which is extant in manuscript.¹¹⁶ Its treatment

¹¹⁰ Ibn Rajab, *Dhayl*, ed. Fiḡī, 1:269.3.

¹¹¹ *Ibid.*, 274.16. However, in another passage he counsels against the exposure of sinners (*ibid.*, 274.10).

¹¹² *Ibid.*, 263.10; the rendering in Mason, *Two statesmen*, 50f., captures the human interest of the anecdote, but garbles the reference to *al-amr bi'l-ma'rūf*.

¹¹³ A more comprehensive treatment might have been provided by a monograph on *al-amr bi'l-ma'rūf* by the Baghdādī Abū Muḥammad al-Khallāl (d. 439/1047) (for whom see Sezgin, *Geschichte*, 1:232 no. 335), were it extant. That he wrote such a work is attested by citations in Ṣāliḥī, *Kanz*, 308.19, 375.4, and cf. *ibid.*, 332.24, 512.27, 612.6, 651.13 (with a chapter title), 669.9. However, the material quoted there goes back in one instance to Ibn Ḥanbal, and in others to the Prophet; no opinions of Abū Muḥammad himself are found. What is clearly the same work is cited in Ibn Muḥliḡ, *Ādāb*, 1:215.18, 216.17, but without the details given in the *Kanz*. I take Abū Muḥammad to be a Ḥanbalite, though in the absence of an explicit statement of his school allegiance he could also be a Shāfi'ite.

¹¹⁴ Abū Ya'lā ibn al-Farrā' (d. 458/1066), *al-Mu'tamad fī uṣūl al-dīn*, ed. W. Z. Haddad, Beirut 1974, 194–8 §§350–9. The work is an abridgement made by the author himself from a longer version (see *ibid.*, 19.4, and Ibn Abī Ya'lā, *Ṭabaqāt*, 2:205.8). For Abū Ya'lā, see *EP*², art. 'Ibn al-Farrā'' (H. Laoust).

¹¹⁵ 'Abd al-Qādir al-Jīlī (d. 561/1166), *al-Ghunya li-tālibī ṭarīq al-ḥaqq*, Cairo 1322, 1:56–61. For 'Abd al-Qādir, see *EP*², art. 'Abd al-Qādir al-Djilānī' (W. Braune).

¹¹⁶ That Abū Ya'lā wrote such a monograph is already mentioned by his son (Ibn Abī Ya'lā, *Ṭabaqāt*, 2:205.18; see also Ibn Muḥliḡ, *Ādāb*, 1:177.16). Most of this *Kitāb al-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar* is extant in a Ṣāḥirīya manuscript (Majmū' no. 3,779 =

tends to be richer though less clearly organised; I shall draw on it at a number of points, but will base my survey in the first instance on the treatment of the duty in Abū Ya'lā's larger work. The title of this latter, with its reference to 'the fundamentals of the faith' (*uṣūl al-dīn*), is suggestive: the work provides a systematic theology in an intellectual style which is Mu'tazilite rather than Ḥanbalite in inspiration. This innovation is likely to have been a fairly recent one among the Ḥanbalites.¹¹⁷ We thus have to do

Footnote 116 (*cont.*)

Majāmi' 42, item 7, ff. 96a–125a, for which see Y. M. al-Sawwās, *Fibris Majāmi' al-Madrasa al-'Umarīyya fī Dār al-Kutub al-Zāhiriyya bi-Dimashq*, Kuwait 1987, 226); I am indebted to the Maktabat al-Asad for supplying me with a microfiche (in which, however, the first page in the text as bound, f. 96a, is unreadable). The opening of the text is missing; what we have begins at f. 97a. However, it would seem that the loss is not extensive, since Abū Ya'lā at a later point (f. 113a.2) refers back to material found at f. 97a.15, and speaks of it as *fī awwal al-kitāb*. Two folios are misplaced: f. 96 belongs between ff. 106 and 108, and f. 107 after f. 115. The only identification of the work is the annotation by a later hand at the top of f. 97a: *min Kitāb al-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar lil-Qāḍī Abī Ya'lā*. This is not in itself a very secure basis for identifying our text, but it seems to be right. Ibn Muflīh, who frequently quotes Abū Ya'lā as 'the Qāḍī', does not usually specify which of his works he is citing; but on the one occasion on which he explicitly quotes the *Amr* (*Ādāb*, 1:178.10), the quotation (or at least the first part of it) agrees fairly well with a passage found in our text (*Amr*, f. 100b.14). There is a similar agreement between a passage in the *Amr* (f. 120a.2) and a quotation from the work in Ṣāliḥ's *Kanz* (471.18; cf. *Ādāb*, 1:288.13). That the work is indeed by Abū Ya'lā finds a degree of confirmation from a number of points. First, there are frequent agreements (subject to paraphrasing and shortening) between the *Amr* and the citations from Abū Ya'lā given by Ibn Muflīh without specification of the work cited (thus *Ādāb*, 1:185.10 = *Amr*, f. 97a.8; *Ādāb*, 292.9 = *Amr*, f. 100b.7; *Ādāb*, 175.3 = *Amr*, f. 102b.4). Second, there are numerous correspondences in the order of topics and in wording between the *Amr* and the *Mu'tamad*, and no significant differences of doctrine. For example, in both works the question of the respect due to the views of other law-schools is followed by the question of the obligation to perform the duty of a man who is himself an offender (*Amr*, 97b.3; *Mu'tamad*, §§352f.); likewise two passages on efficacy as a condition for obligation (*Amr*, f. 101a.13, 101a.20) have close parallels in the corresponding discussion in the *Mu'tamad* (§357). Third, the work stems from the right period, since the author speaks of the question of the use of royal titlature as one that had arisen in his time (*fī waqtinā*, *Amr*, f. 116a.3; cf. above, note 76). That the work is not a fragment from the unabridged *Mu'tamad* is indicated by numerous differences between the two over and above those attributable to the abridgement of the *Mu'tamad*. For example, the discussions of the absence of mortal danger as a condition for obligation agree in substance but diverge greatly in detail (*Amr*, f. 101b.6; *Mu'tamad*, §358); the topics covered in the *Mu'tamad* in §§355f. are allocated no systematic treatment in the *Amr*. This argument can be clinched thanks to the fact that Ibn Muflīh, shortly before the point at which he explicitly quotes from the *Amr*, also explicitly cites the corresponding passage from the *Mu'tamad* (*Ādāb*, 1:178.2 = opening of *Mu'tamad*, §357); it is clear from comparing the two citations that the work Ibn Muflīh knows as the *Amr* is indeed our text, and not some version of the *Mu'tamad*.

¹¹⁷ It may go back to Abū Ya'lā's teacher Ibn Ḥāmid (d. 403/1012f.), who was the author of a *Sharḥ uṣūl al-dīn* (see Ibn Abī Ya'lā, *Ṭabaqāt*, 2:171.7, and cf. Laoust, 'Le hanbalisme sous le califat de Bagdad', 93f.; for what may be a copy of an abridgement of Ibn Ḥāmid's work, see C. Brockelmann, *Geschichte der Arabischen Litteratur* (first edition, Weimar and Berlin 1898–1902; supplementary volumes, Leiden 1937–42; second edition, Leiden 1943–9), supplementary volumes, 2:966 no. 3). But this work may equally have been written in the traditionalist style of Ibn Baṭṭa (d. 387/997) (cf. the

with a Ḥanbalite reception of a Muʿtazilite framework into which specific Ḥanbalite doctrines are inserted when their Muʿtazilite equivalents are deemed unacceptable; we shall encounter the original Muʿtazilite format, or something like it, in a later chapter.¹¹⁸ In the summary that follows, the headings are mine, and I have rearranged some of the material.

1. *The obligation*

It is clear from the start, without any hint of hesitation, that we have to do with an obligation.¹¹⁹ The scholastic issue raised and vigorously disposed of is simply the source of this obligation: is it revelation (*ṣamʿ*) or reason (*ʿaql*)? The answer, of course, is revelation. This question, which would hardly have occurred to Ibn Ḥanbal, arises out of an awareness of Muʿtazilite doctrine, to which indeed Abū Yaʿlā makes specific reference.¹²⁰

2. *Who is obligated?*

Every legally competent Muslim is obligated, subject to various conditions which will be taken up below; this holds true whether he is a ruler (*imām*), a scholar (*ʿālim*), a judge (*qāḍī*), or just an ordinary member of the community (*ʿāmmī*).¹²¹ Curiously, the standard scholastic question whether the duty is individual or collective is not discussed by either author.¹²² One

latter's work *al-Sharḥ wa'l-ibāna ʿalā uṣūl al-sunna wa'l-diyāna*, published in Laoust, *Profession*). Haddad, indeed, suggests that Abū Yaʿlā himself may have been the first Ḥanbalite to use the method of *kalām* (Abū Yaʿlā, *Muʿtamad*, introduction, 21). A similar systematising trend is jarringly evident at a later date in the account of Ibn Ḥanbal's views on *al-amr bi'l-ma'rūf* given by Abū Muḥammad al-Tamīmī (*Muqaddima*, *apud* Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:279.20).¹¹⁸ See below, ch. 9, section 3.

¹¹⁹ Abū Yaʿlā, *Muʿtamad*, §350, and cf. the opening of §351; similarly ʿAbd al-Qādir, *Ghunya*, 1:56.15.

¹²⁰ Abū Yaʿlā, *Muʿtamad*, §351. The question is not discussed by ʿAbd al-Qādir. For Muʿtazilite views on this point, see below, ch. 9, notes 25, 64.

¹²¹ *Ibid.*, §350. In the parallel passage in ʿAbd al-Qādir's *Ghunya*, the duty is limited to the free Muslim (see below, note 159). Instead of the term *ʿāmmī*, ʿAbd al-Qādir uses 'one of the *raʿiyya*' (*Ghunya*, 1:56.18).

¹²² For this issue see, for example, above, ch. 2, note 19, and below, ch. 9, 216. The later Ḥanbalite scholar Ibn Ḥamdān (d. 695/1295) discusses the question in the course of a brief but dense scholastic account of the duty in his *Nihāyat al-mubtadiʿin* (ms. London, British Library, Or. 11,851, ff. 21a–22b). He states that it is an individual duty (*farḍ ʿayn*) for someone witnessing an offence against which no one else takes action (*ibid.*, f. 21a.2); but the duty is voided for him if someone else in the town, village or quarter does act, as it is a collective obligation (*farḍ kifāya*) for one not individually obligated (*ibid.*, f. 21a.6). Thus forbidding wrong either is, or is tantamount to, a collective obligation. Ibn Muflīḥ echoes this account (*ʿAdāb*, 1:174.12, 181.9). For Ibn Ḥamdān and his work, see J. van Ess, 'Biobibliographische Notizen zur islamischen Theologie', *Die Welt des Orients*, 11 (1980), 127f. no. 7, with biographical data from Ibn Rajab, *Ḍhayl*, ed. Fiḡī, 2:331f.

is obligated irrespective of whether one's own conduct is virtuous, for all that a virtuous man is more likely to obtain results; since nobody is perfect, the contrary view would have the effect of voiding the duty altogether.¹²³ However, Abū Ya'ālā's doctrine is not as egalitarian as it sounds. As we shall see, one condition for performing the duty is knowledge of the law, and this is unevenly distributed. There are things that are known to every one (*kull aḥad*) alike, irrespective of whether he belongs to the elite (*khāṣṣa*, i.e. the scholars) or the common people (*ʿāmma*, here in effect the laity). Thus every one knows that the five daily prayers are obligatory, that drinking wine is forbidden, and so forth, and in such cases forbidding wrong is as much a duty of laymen as it is of scholars. But there are other matters understood only by the elite, such as questions of theology. In cases of this latter kind, only a scholar can take the initiative in performing the duty; laymen are not obligated to act – and indeed are not permitted to do so – until they have been instructed by a scholar.¹²⁴

3. *How is the duty to be performed?*

Abū Ya'ālā quotes the Prophetic tradition establishing the three modes (hand, tongue and heart) in his initial set of proof-texts,¹²⁵ but does not take up this taxonomy himself – perhaps because it was not present in the Mu'tazilite source that lies behind his account. All he offers is an insistence that forbidding wrong must be done nicely, supported by appropriate proof-texts.¹²⁶ He does not discuss the question of escalation in the event that good manners prove ineffective. He does, however, take up this theme in his monograph on the duty, devoting a section to the principle that one begins with the minimal response likely to prove effective and escalates to more drastic measures only as necessary.¹²⁷

¹²³ Abū Ya'ālā, *Mu'tamad*, §353; cf. 'Abd al-Qādir, *Ghunya*, 1:59.9–11, 59.20–4 (where the intervening material seems to be out of place). The more detailed discussion given by Abū Ya'ālā in his *Amr* (f. 97b.3) adds nothing of interest, and omits the point about the voiding of the duty.

¹²⁴ Abū Ya'ālā, *Mu'tamad*, §352 (to line 20); 'Abd al-Qādir, *Ghunya*, 1:59.26. Cf. below, ch. 9, note 70.

¹²⁵ Abū Ya'ālā, *Mu'tamad*, §350 (at the end); it likewise appears in 'Abd al-Qādir's *Ghunya* at 1:57.14, but following a discussion of the modes (*ibid.*, 57.11). For the tradition, see above, ch. 3, section 1.

¹²⁶ Abū Ya'ālā, *Mu'tamad*, §354 (quoting Q3:159 and the 'three qualities' tradition, for which see above, ch. 3, note 59). This becomes the third of 'Abd al-Qādir's conditions at *Ghunya*, 1:58.4.

¹²⁷ Abū Ya'ālā, *Amr*, f. 105b.20 (see esp. *ibid.*, f. 106b.4, and cf. f. 106a.20: *al-ashal fa'l-ashal*). He differentiates between *al-amr bi'l-ma'rūf* and *al-nahy 'an al-munkar* in the application of this principle (*ibid.*, f. 106b.13). There is the same emphasis as in the *Mu'tamad* on performing the duty in a nice way, accompanied by the same proof-texts.

4. *What are the preconditions for going ahead with the duty?*

We can conveniently set these out, with a trifle more formality than Abū Yaʿlā,¹²⁸ in the following schema:

- 1 *Knowledge of law.* One must know the wrongfulness of the proposed target.¹²⁹ As we have seen, this establishes a distinction between scholars and laymen in certain matters.
- 2 *Knowledge of fact.* One must have definite knowledge of the reality of the evil in question (*al-ʿilm waʿl-qaṭʿ bi-ḥuṣūl al-munkar*). Mere supposition (*ẓann*) is not enough, contrary to the view of those who hold strong supposition to suffice.¹³⁰ (This latter view is Muʿtazilite.¹³¹) In his monograph, Abū Yaʿlā makes a more constricting point, namely that the (prospective) persistence (*istimrār*) of the offender in his offence is a condition for proceeding against him, since the object of the duty is to prevent wrong from happening, and what has already happened cannot be prevented.¹³² Thus if the conduct of the offender indicates that he will not persist (*tark al-istimrār*), no action may be taken regarding what he has already done.¹³³ The appearance of the term ‘persistence’ (*istimrār*) in this context is interesting: it is also found in contemporary and later Imāmī sources written in the same style,¹³⁴ and doubtless derives from a common Muʿtazilite origin.
- 3 *It must not lead to a greater evil.* Abū Yaʿlā does not enlarge on this beyond his initial statement.¹³⁵

Abū Yaʿlā also discusses the rather tepid attitude towards taking action ‘with the hand’ that marks Ibn Ḥanbal’s responsa, but is not very clear as to his own position (*ibid.*, f. 106a.9, 106a.13). The following section (beginning at f. 106b.21, continued on f. 96a, and ending at f. 96b.2) deals with the breaking of musical instruments, opening with a statement that this may be done without compensation (*ḍamān*) (f. 106b.22).

¹²⁸ In his *Amr*, Abū Yaʿlā includes a brief section (f. 115a.21) pulling together the conditions for obligation he has discussed elsewhere in the work. He lists five of them. The first corresponds to my condition (1), the second to my (5), the third to my (2), and the fifth to my (4); my (3) is not represented in this schema, while Abū Yaʿlā’s fourth condition is that the supposed offence should not be a matter concerning which *ijtihād* is allowed. This fourth condition could be seen as a special case of the first. That apart, the schema has a markedly Muʿtazilite look about it (cf. below, ch. 9, 207–9). Elsewhere in the work (*ibid.*, f. 105a.8), Abū Yaʿlā devotes a section to the point that it is not a precondition for obligation that the offender be the only one perpetrating the wrong in question (cf. Ibn Muflīh, *ʿAdāb*, 1:297.15).

¹²⁹ Abū Yaʿlā, *Muʿtamad*, §350 line 18; ‘Abd al-Qādir, *Ghunya*, 1:56.16, 56.18, restated as ‘Abd al-Qādir’s first condition at 57.24. ¹³⁰ Abū Yaʿlā, *Muʿtamad*, §356.

¹³¹ See below, ch. 9, note 71. ¹³² Abū Yaʿlā, *Amr*, f. 100b.7. ¹³³ *Ibid.*, f. 115b.3.

¹³⁴ See below, ch. 11, 276 no. (2) and note 186.

¹³⁵ Abū Yaʿlā, *Muʿtamad*, §350 line 19 (understanding *aʿzam minhu*); ‘Abd al-Qādir, *Ghunya*, 1:56.17. A similar formulation is ascribed to Ibn Ḥanbal by Abū Muḥammad al-Tamīmī (*Muqaddima*, *apud* Ibn Abī Yaʿlā, *Tabaqāt*, 2:280.4).

- 4 *It must be likely to succeed.* As Abū Yaʿlā states in his introductory formulation, one must be capable (*qādir*) of repelling the evil.¹³⁶ What if one is unlikely to succeed? Abū Yaʿlā takes up this question later in his presentation, and states that there are two antithetical pronouncements transmitted from Ibn Ḥanbal; however, these are not actually quoted in the abridged version of the work which is all we possess.¹³⁷ He goes on to say that the first view, which is that one should proceed, can be rationalised on the basis that the unlikely is not impossible: the offender may experience a change of heart.¹³⁸ Likewise the contrary view, which is also that of the ‘dialecticians’ (*mutakallimūn*), can be understood on the basis that the point is to get results.¹³⁹ The ‘dialecticians’ may be identified as the Muʿtazilites.¹⁴⁰
- 5 *It must not involve personal risk.* Should performing the duty place one in mortal danger (*taghrīr biʿl-naḥs*), there is no obligation. This is supported by reference to the two Koranic prohibitions of suicide (Q2:195, Q4:29) and to a couple of Prophetic traditions, of which the better known is that which states that a believer should not court humiliation.¹⁴¹ But even when such fear voids the duty, it is still permissible to proceed – indeed to do so is the more virtuous course (*afḍal*).

¹³⁶ Abū Yaʿlā, *Muʿtamad*, §350 line 19; similarly ʿAbd al-Qādir, *Ghunya*, 1:56.16. But ʿAbd al-Qādir seems to take *qudra* to refer not to the prospective efficacy of the action, but rather to the absence of personal risk (*ibid.*, 56.22, 56.25).

¹³⁷ Abū Yaʿlā, *Muʿtamad*, §357. They do, however, appear in the citation from the full text in Ibn Muḥliḥ, *Adāb*, 1:178.2. The generalisation from the particular and specific injunctions of Ibn Ḥanbal that we see here (as equally at Abū Yaʿlā, *Amr*, f. 100b.15, and elsewhere in this text) is characteristic of the reformatting process that was required to turn Ḥanbalism into *kalām*, and is also illustrated by Abū Muḥammad al-Tamīmī’s account of Ibn Ḥanbal’s views (see the next note), and by the bare scholastic disjunctions to which divergent transmissions from Ibn Ḥanbal are reduced in Ibn Abī Yaʿlā (d. 526/1131), *al-Tamām li-mā ṣaḥḥa fī ʿl-riwāyatayn waʿl-thalāth waʿl-arbaʿ ʿan al-imām*, ed. ʿA. M. A. al-Ṭayyār and ʿA. M. ʿA. al-Maddallāh, Riyāḍ 1414, 2:253–6 nos. 420f., 423.

¹³⁸ Abū Muḥammad al-Tamīmī ascribes to Ibn Ḥanbal a different rationale: the point of the duty is to give warning and guidance (*al-tadhkira waʿl-irshād*) (see his *Muqaddima*, apud Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:280.3).

¹³⁹ Abū Yaʿlā, *Muʿtamad*, §357; ʿAbd al-Qādir, *Ghunya*, 1:57.19. The fuller discussion in Abū Yaʿlā’s *Amr* (f. 100b.14, and see also f. 115b.7) seems to come down on the side of the view that having good reason to expect one’s response to be successful is not a precondition for obligation (*ibid.*, f. 101b.2).

¹⁴⁰ See below, ch. 9, note 73 (second view).

¹⁴¹ Abū Yaʿlā, *Muʿtamad*, §358; ʿAbd al-Qādir, *Ghunya*, 1:56.17, 56.26. Contrast Ibn Ḥanbal’s comment on the tradition on avoiding humiliation (see above, ch. 5, note 125). For the tradition itself, see above, ch. 3, note 53. The discussion of mortal danger given by Abū Yaʿlā in his *Amr* (f. 101b.6) is to the same effect as that found in the *Muʿtamad*, but the specific content is very different. The next section (*Amr*, f. 102a.2) is concerned with the point – missing from the *Muʿtamad* – that non-mortal danger (as fear of blows, imprisonment, or loss of property) likewise voids the duty; the Muʿtazilites are said to hold the contrary view (*ibid.*, f. 102a.7; but contrast below, ch. 9, 209 no. (5)).

This latter point is worth examining in some detail. Abū Ya‘lā adopts the view he has stated across the board, regarding all such action as tending to ‘the greater glory of the faith’ (*i‘zāz al-dīn*). His use of the phrase in this context is an indication of Mu‘tazilite influence;¹⁴² more specifically, Abū Ya‘lā is adopting a view identified in Mu‘tazilite sources as that of Abū ‘l-Ḥusayn al-Baṣrī (d. 436/1044).¹⁴³ He contrasts the position he is taking with that of ‘most’ scholars,¹⁴⁴ who consider such an initiative to be permitted only in two cases. One of these is speaking out in the presence of an unjust ruler, and the other is asserting the true faith in the face of ‘words of unbelief’.¹⁴⁵ Abū Ya‘lā’s implicit endorsement of the virtue of speaking out in the presence of a tyrant, and thereby risking death, is interesting; as we have seen, this is an activity which, though supported by a well-known Prophetic tradition, was strongly discouraged by Ibn Ḥanbal.¹⁴⁶ What Abū Ya‘lā has to say in his monograph indicates that he is in fact somewhat fidgety on this delicate point. He includes a section on the question whether it is obligatory to speak out (*inkār*) against a ruler who is doing wrong.¹⁴⁷ In this section he says that the counselling and admonition of such a ruler (*wa‘ẓuhu wa-takhwīfuhu bi’llāh*) is indeed obligatory;¹⁴⁸ later, in connection with traditions that commend speaking out in the presence of an unjust ruler – and in one case getting killed for it – he observes that they show such counsel and admonition to be permissible.¹⁴⁹ Yet in another section he turns around and contests the application of the category of ‘the greater glory of the faith’ (*i‘zāz al-dīn*) to cases in which the performer is killed; such cases, he says, represent rather the humiliation of the faith (*idhlāl al-dīn*), while glory accrues only where the

¹⁴² Cf. below, ch. 9, note 74, and ch. 10, note 112. The phrase does appear in Sunnī texts, but most occurrences there are either in contexts other than the danger condition (see below, ch. 12, notes 38, 117, and ch. 13, note 104, last citation), or else invite interpretation as reflecting Mu‘tazilite influence or reference (see below, ch. 13, notes 41, 90). There is, however, one Shāfi‘ite author who uses the term in the context of the danger condition without otherwise betraying such influence (see below, ch. 13, note 104).

¹⁴³ See below, ch. 9, note 74.

¹⁴⁴ So Abū Ya‘lā, *Mu‘tamad*, §359 (*aktharuhum*). In the long discussion of the issue in his *Amr* (ff. 102b.14) he speaks specifically of the Mu‘tazilites (*al-mutakallimūn*) (f. 103a.8), and includes considerable polemic against them. For Mu‘tazilite views on the question, see below, ch. 9, 209 no. (5).

¹⁴⁵ Abū Ya‘lā, *Mu‘tamad*, §359; ‘Abd al-Qādir, *Ghunya*, 1:57.3. Both cite Q31:17 and a Prophetic tradition that echoes its wording.

¹⁴⁶ Ibn Muflīh remarks that Ibn Ḥanbal’s doctrine is against proceeding in this context (*Ādāb*, 1:179.12, referring to his fuller discussion *ibid.*, 3:491f.); see above, ch. 5, notes 152f. For the tradition, see above, ch. 1, note 18.

¹⁴⁷ Abū Ya‘lā, *Amr*, f. 98a.9. Most of this section is concerned to vindicate the Ḥanbalite rejection of recourse to arms against the views and objections of the Mu‘tazilites (*al-mutakallimūn*, *ibid.*, f. 98b.2). ¹⁴⁸ *Ibid.*, f. 98a.11. ¹⁴⁹ *Ibid.*, f. 100a.1.

performer remains alive.¹⁵⁰ Pulled in conflicting directions by Ibn Ḥanbal and Abū ʿl-Ḥusayn, it would seem that Abū Yaʿlā is comfortable only with a prudent and moderate heroism.

This leaves a few miscellaneous points. One is that the duty is restricted by a recognition of the validity of the views of rival law-schools as norms governing the actions of their followers in matters in which independent judgement (*ijtihād*) is permitted by the scholars. Thus Ḥanbalites may not proceed against Ḥanafīs who are acting in accordance with a distinctive doctrine of their school, for example with regard to the existence of a category of permissible liquor (*nabīdh*). This tolerance is justified by a statement of Ibn Ḥanbal's to the effect that a scholar should not push people into following his own views.¹⁵¹ A second point is that the performance of the duty is limited by the demands of privacy: no one should uncover an evil that is hidden from public view (*sutira*).¹⁵² A related point is that if a man has no duty to proceed, he equally has no duty to involve the ruler (*imām*), though he may choose to do so.¹⁵³ This is another issue that seems to have given rise to some perplexity; there is perceptible strain between the negative views of Ibn Ḥanbal and a more positive tendency in evidence among later authorities.¹⁵⁴ It may be added that in a different part of his work, Abū Yaʿlā emphasises with much rhetoric that forbidding wrong includes the confutation of heresy.¹⁵⁵ Other points appear only in his monograph, and need not detain us.¹⁵⁶

¹⁵⁰ *Ibid.*, f. 103b.22; also f. 111a.10. Apart from a much later Shāfiʿite source (for which see below, ch. 13, note 90), I have not seen the phrase *idhlāl al-dīn* elsewhere in discussions of the danger condition; it may well be Abū Yaʿlā's own contribution.

¹⁵¹ Abū Yaʿlā, *Muʿtamad*, §352 line 20; ʿAbd al-Qādir, *Ghunya*, 1:60.5. The end of a more complex discussion of the issue is preserved in Abū Yaʿlā's *Amr* (f. 97a.1–97b.3; see also *ibid.*, f. 112b.22). A problem arises over chess-players: chess is permitted by the Shāfiʿites, yet Ibn Ḥanbal regards it as a fit target for the duty (ʿAbd al-Qādir, *Ghunya*, 1:60.9; and cf. Abū Yaʿlā, *Muʿtamad*, §352 line 4). For attitudes to chess in Khallāl's *Amr*, see above, ch. 5, notes 43–6; for the relative lenience of Shāfiʿite views, see the data collected in R. Wieber, *Das Schachspiel in der arabischen Literatur von den Anfängen bis zur zweiten Hälfte des 16. Jahrhunderts*, Walldorf-Hessen 1972, 184–91.

¹⁵² Abū Yaʿlā, *Muʿtamad*, §355; ʿAbd al-Qādir, *Ghunya*, 1:56.20. This would not, of course, preclude a private rebuke. Abū Yaʿlā's proof-texts for privacy are Q49:12 and a Prophetic tradition. He touches on the issue in his *Amr* (f. 107b.9).

¹⁵³ Abū Yaʿlā, *Muʿtamad*, §358 line 20. The proof-text is the story of the Companion ʿUqba ibn ʿAmir (see above, ch. 4, 80f.), within which is enclosed a version of the Prophetic tradition on *satr* (for which see above, ch. 3, note 61). ʿAbd al-Qādir makes reference to invoking the help of officialdom (the *aṣḥāb al-sulṭān*) in a slightly different context, as an apparently obligatory last resort (*Ghunya*, 1:59.1).

¹⁵⁴ Ibn Ḥamdān speaks of a duty to help the authorities (*Nihāya*, f. 21b.7), and to report offences to them where appropriate (*ibid.*, ff. 21b.15, 22b.1); and see Ibn Muflīh, *Adāb*, 1:219.2.

¹⁵⁵ Abū Yaʿlā, *Muʿtamad*, 216 §389; see also Ibn Ḥamdān, *Nihāya*, f. 22a.19, and cf. f. 22a.11. Abū Yaʿlā gives a less rhetorical treatment of the matter in his *Amr* (ff. 112b.18).

¹⁵⁶ For example, one should only attend parties where there is liquor and music if one is able

Most of the major points made by Abū Yaʿlā reappear in ʿAbd al-Qādir’s presentation. The only significant exception is that ʿAbd al-Qādir does not discuss the source of the duty. He does, however, include in his account a good deal that is not in Abū Yaʿlā’s. At a formal level, he offers definitions of the terms right (*maʿrūf*) and wrong (*munkar*),¹⁵⁷ and introduces a five-condition framework which at first sight looks Muʿtazilite, but is not.¹⁵⁸ At a substantive level he adds a number of points. He limits the duty to free Muslims – in contrast to the view that seems to have been taken by Ibn Ḥanbal himself.¹⁵⁹ He stresses, among his conditions, the need to proceed with the right intention,¹⁶⁰ to be persistent in the face of adversity,¹⁶¹ and to practise what one preaches.¹⁶² He urges that, at least in the first instance, one should remonstrate with the offender in private, going public and seeking the help of men of virtue (or even of officialdom) only if this fails.¹⁶³ He provides (out of context) proof-texts in support of martyrdom incurred in the performance of the duty.¹⁶⁴ Equally alien to the world of Ibn Ḥanbal is ʿAbd al-Qādir’s willingness to envisage social conditions in which virtue prevails. On the one hand, of course, there are conditions under which performance of the duty involves serious personal risk; but on the other hand, he avers, we can have a situation in which the virtuous (*ahl al-ṣalāh*) enjoy the upper hand (*al-ghalaba*), and the ruler (*sultān*) is just.¹⁶⁵ We find in ʿAbd al-Qādir’s presentation an idea not often found in Ḥanbalite circles: that the

to put a stop to the misconduct, since otherwise one risks appearing to condone such activities (*Amr*, f. 112b.5); a man notorious for his debauchery is to be prevented from being alone with a woman (*ibid.*, f. 113a.23); it is a duty to proceed against mutual imitation by the sexes (*ibid.*, f. 113b.5). In addition, Abū Yaʿlā gives extensive coverage to topics that are only indirectly connected to *al-amr biʿl-maʿrūf*: self-defence, duress and others. For what he has to say about rescue, cf. below, ch. 20, note 10.

¹⁵⁷ ʿAbd al-Qādir, *Ghunya*, 1:59.25. Note that *ʿaql* appears here alongside Koran and *sunna*; Ibn Ḥamdān mentions only *sharʿ* in this connection (*Nihāya*, f. 21a.11).

¹⁵⁸ ʿAbd al-Qādir, *Ghunya*, 1:57.23. These so-called conditions (*sharʿiyyāt*) are qualities a man needs in order to perform the duty, or to perform it well, rather than preconditions for his having an obligation to do so.

¹⁵⁹ ʿAbd al-Qādir, *Ghunya*, 1:56.16; for Ibn Ḥanbal see above, ch. 5, note 71. ʿAbd al-Qādir’s view is shared by Ibn Ḥamdān (*Nihāya*, f. 21b.10; and cf. Ibn Mufliḥ, *Ādāb*, 1:214.4). ¹⁶⁰ Abd al-Qādir, *Ghunya*, 1:57.24.

¹⁶¹ *Ibid.*, 58.12. Abū Yaʿlā discusses this quality only in the context of the voluntary performance of the duty in the face of personal risk (*Muʿtamad*, 359).

¹⁶² ʿAbd al-Qādir, *Ghunya*, 1:58.16. As ʿAbd al-Qādir notes, this is in tension with the standard view which he reports from his teachers: that the righteous and the unrighteous alike are obligated by the duty (*ibid.*, 59.9). ¹⁶³ *Ibid.*, 58.25.

¹⁶⁴ These proof-texts are: Q2:207; ʿUmar’s interpretation of this verse as referring to a man killed in performing the duty (see above, ch. 2, note 77); and two Prophetic traditions (for which see above, ch. 1, notes 18, 20) on speaking out in the presence of an unjust ruler (*ibid.*, 59.11).

¹⁶⁵ *Ibid.*, 56.25. Cf. Ibn Ḥamdān’s stipulation that one may not have recourse to the sword in performing the duty unless doing so together with the authorities (*Nihāya*, ff. 21a.10, 22b.2).

three modes correspond to a tripartite division of labour. In this hierarchic conception, performance ‘with the hand’ is for rulers (*imāms* and *sulṭāns*), performance ‘with the tongue’ for scholars (*‘ulamā*) and performance ‘in (or with) the heart’ for the common people (*‘āmma*).¹⁶⁶ This view does not go well with the general thrust of ‘Abd al-Qādir’s presentation, but he makes no attempt at reconciliation. In point of fact all but two of these additional substantive points go back to a Ḥanafī source, the exceptions being the limitation of the duty to the free and the proof-texts for martyrdom.¹⁶⁷

As the descent of this section into a miscellany makes clear, the systematisation of doctrine in the works of Abū Ya‘lā and ‘Abd al-Qādir is imperfect; and even before this descent began, I was tending to assist them by presenting their views somewhat more systematically than they do themselves.¹⁶⁸ Nevertheless, their accounts taken as a whole represent a style of intellectual activity quite unlike that of Ibn Ḥanbal. This invites us to ask whether the reworking of the substance of Ḥanbalite doctrine in these accounts is as far-reaching as the change in its form.

4. THEORY AND PRACTICE

As we saw in the previous chapter, the responsa of Ibn Ḥanbal do not present Ḥanbalism as a doctrine apt for the purposes either of rabble-rousers or of members of the political establishment. The heritage of the founder was thus in considerable tension with the historical roles of Ḥanbalism in Baghdad from the time of Barbahārī until the end of the ‘Abbāsīd period. Do we then find that accounts of the duty given by authors contemporary with these later patterns of Ḥanbalite activity are better attuned to the circumstances of the day? In the case of the two brief statements which are all we have from Barbahārī, the answer is clearly negative.¹⁶⁹ Turning to Abū Ya‘lā and ‘Abd al-Qādir, it is just as clear that the answer is not strongly positive. Their accounts, as I have summarised them, cannot be read as expressions either of a heated populism or of symbiosis with the state. If, indeed, these formal accounts had been all that we had to go on, we could not have guessed at the activities of contemporary Ḥanbalites either in the streets or in the caliph’s palace. The question remains, however, whether we might hope to identify weaker linkages. That is to say, if we read these accounts with the historical

¹⁶⁶ ‘Abd al-Qādir, *Ghunya*, 1:57.11. For parallels, see below, ch. 17, notes 29f.; also Maybudī, *Kashf*, 2:234.16. ¹⁶⁷ See below, ch. 12, 312f.

¹⁶⁸ Cf. above, 131, 133. ¹⁶⁹ See above, 128.

background in mind, can we point here and there to the pull of practice on theory?

The area in which such linkages can be found with the greatest plausibility is relations with the state. On the one hand, there is the more favourable view of commanding and forbidding a ruler, even in the face of personal risk;¹⁷⁰ this is associated with a generally warmer attitude towards heroism in forbidding wrong.¹⁷¹ And on the other hand, there is the greater willingness to see the state in a positive light as a partner in carrying out the duty. Here, as we have seen, both authors are willing to countenance bringing in the authorities, and ‘Abd al-Qādir is ready to envisage conditions of just rule and of the predominance of the virtuous.¹⁷² This is not a particularly rich yield; but we can eke it out by turning to the views of Ibn al-Jawzī, the leading Ḥanbalite figure in Baghdad in the latter part of our period.¹⁷³

As a starting-point, let us consider some quotations that appear under Ibn al-Jawzī’s name in a later compilation by Ibn Muflīḥ (d. 763/1362). At first sight these suggest a relatively aggressive approach to the execution of the duty, at least vis-à-vis fellow subjects. Thus Ibn al-Jawzī speaks freely in these passages of the use of violence by individuals where necessary, provided it is unarmed.¹⁷⁴ He takes the view that if one knows of a persistent evil in the market-place, and is capable of putting a stop to it, then it is one’s duty not to sit at home, but rather to sally forth to confront the evil.¹⁷⁵ He also talks of entering other people’s homes to carry out the duty, if the evidence against them warrants it.¹⁷⁶ Unfortunately, however, these points lose much of their interest when we realise that Ibn Muflīḥ is quoting from Ibn

¹⁷⁰ See above, 135 no. (5) (Abū Ya’lā). An extreme expression of a willingness to go up against the ruler is found in a dictum implausibly ascribed to Ibn Ḥanbal by ‘Abd al-Wāḥid ibn ‘Abd al-‘Azīz al-Tamīmī (d. 410/1020): if you are able to depose a caliph who calls people to heresy (*bid‘a*), do so (Ibn Abī Ya’lā, *Ṭabaqāt*, 2:305.11; for this uncle of Abū Muḥammad al-Tamīmī, see *ibid.*, 179.10).

¹⁷¹ See above, 134–6 no. (5) (Abū Ya’lā), and note 164 (‘Abd al-Qādir); cf. above, notes 108 (Ibn Baṭṭa), 110 (Ibn Hubayra).

¹⁷² See above, notes 153 (Abū Ya’lā and ‘Abd al-Qādir), 165f. (‘Abd al-Qādir), and cf. note 154 (Ibn Ḥamdān). Cf. also the positive attitude towards cooperation with the ruler against heretical doctrines (*al-madhāhib al-fāsiḍa*) ascribed to Ibn Ḥanbal by Abū Muḥammad al-Tamīmī (*Muqaddima*, *apud* Ibn Abī Ya’lā, *Ṭabaqāt*, 2:280.8). This orientation has already been linked by Laoust to Abū Muḥammad’s state-friendly career (*Profession*, cxii, and cf. cixf.).

¹⁷³ The numerous published works of Ibn al-Jawzī unfortunately do not include his *Minhāj al-wuṣūl ilā ‘ilm al-uṣūl* (see his *Daf’ shubah al-tashbīh*, ed. M. Z. al-Kawtharī, Cairo 1976, 26.2, describing the work as one on *uṣūl al-dīn*, and, for a manuscript, ‘A. al-‘Alwachī, *Mu’allafāt Ibn al-Jawzī*, Baghdad 1965, 189 no. 464).

¹⁷⁴ Ibn Muflīḥ, *Ādāb*, 1:195.6. He also admits here the possibility of armed bands operating with the permission of the ruler (*imām*).¹⁷⁵ *Ibid.*, 210.3.

¹⁷⁶ *Ibid.*, 295.19, 320.5.

al-Jawzī's rifacimento of the famous *Revival of the religious sciences* (*Iḥyā' 'ulūm al-dīn*) of Ghazzālī (d. 505/1111).¹⁷⁷ Each of the passages in question simply adopts a formulation of Ghazzālī's,¹⁷⁸ thereby demonstrating no more than a certain acquiescence on the part of Ibn al-Jawzī.

However, the fact that Ibn al-Jawzī by and large takes his cue from Ghazzālī means that the points at which he decides to depart from his model can be very revealing. A comparison of what the two texts have to say about forbidding wrong throws up three illuminating instances of this. In each case Ibn al-Jawzī has seen fit to tone down Ghazzālī's politics in a sense favourable to the state.

- 1 In one passage Ghazzālī raises the question whether the permission of the ruler is required for the threat or use of blows in carrying out the duty; he leaves the question open.¹⁷⁹ Ibn al-Jawzī, by contrast, states that the (permission of the) ruler is required.¹⁸⁰
- 2 There is a similar divergence on the question of the need for the ruler's permission for armed bands to operate. Ghazzālī prefers the view that such permission is not needed.¹⁸¹ Ibn al-Jawzī, by contrast, states as the correct view that it is needed, and merely mentions the existence of the alternative view.¹⁸²
- 3 Ghazzālī considers the question whether one may speak harshly (*takhsīn*) to rulers in cases where this involves danger only to oneself. His view is that such speech is not just permissible but commendable.¹⁸³ He then proceeds to fill a good many pages with illustrative sayings and doings of early Muslim worthies,¹⁸⁴ and concludes his discussion with a lament that the scholars of today no longer act in this courageous fashion.¹⁸⁵ Ibn al-Jawzī, by contrast, admits that such conduct is regarded as permissible by most scholars, but pronounces against it. He

¹⁷⁷ For Ghazzālī's account of *al-amr bi'l-ma'rūf* in his *Iḥyā' 'ulūm al-dīn*, see below, ch. 16. For Ibn al-Jawzī's *Minhāj al-qāṣidīn*, see 'Alwachi, *Mu'allafāt Ibn al-Jawzī*, 188f. no. 463, and Hartmann, 'Les ambivalences d'un sermonnaire ḥanbalite', 103 n. 123. The *Minhāj al-qāṣidīn* has been published in an abridgement made by Aḥmad ibn 'Abd al-Raḥmān ibn Qudāma al-Maqdisī (d. 689/1290) (*Mukhtaṣar Minhāj al-qāṣidīn*, Damascus 1389; on the identity of the abridger, I follow the remarks of M. A. Duhmān in his preface to a later Damascene printing of the work). For the relationship between the *Minhāj al-qāṣidīn* and Ghazzālī's *Iḥyā'*, see Aḥmad ibn Qudāma, *Mukhtaṣar*, 3.5.

¹⁷⁸ The correspondences are as follows: (1) Ibn Mufliḥ, *Ādāb*, 1:195.6; Aḥmad ibn Qudāma, *Mukhtaṣar*, 125.3; Ghazzālī, *Iḥyā'*, 2:304.23. (2) *Ādāb*, 1:210.3; *Mukhtaṣar*, 129.20; *Iḥyā'*, 2:313.23. (3) *Ādāb*, 1:295.19; *Mukhtaṣar*, 122.10; *Iḥyā'*, 2:297.21, 297.30. (4) *Ādāb*, 1:320.5; *Mukhtaṣar*, 122.19; *Iḥyā'*, 2:301.21. ¹⁷⁹ Ghazzālī, *Iḥyā'*, 2:289.9.

¹⁸⁰ Aḥmad ibn Qudāma, *Mukhtaṣar*, 120.12. ¹⁸¹ Ghazzālī, *Iḥyā'*, 2:304.34.

¹⁸² Aḥmad ibn Qudāma, *Mukhtaṣar*, 125.7. ¹⁸³ Ghazzālī, *Iḥyā'*, 2:314.5.

¹⁸⁴ *Ibid.*, 314–26. ¹⁸⁵ *Ibid.*, 326.19.

argues that its effect is to provoke the ruler to an offence worse than that which the rudeness is intended to curb, rulers being constitutionally unable to tolerate insult.¹⁸⁶ He too then devotes several pages to sayings and doings,¹⁸⁷ but ends with a contrast which effectively voids them. In the old days, he tells us, rulers – whatever their faults – appreciated the virtues of the scholars, and accordingly put up with their rudeness. In our time, however, it is better to flee from the presence of our rulers. If one cannot, then civility is the order of the day.¹⁸⁸ In short, for Ghazzālī it is the scholars who are not what they used to be; for Ibn al-Jawzī, by contrast, it is the rulers who have changed for the worse.¹⁸⁹

This state-friendly tendency can also be detected elsewhere in Ibn al-Jawzī's works. He recommends that, in these evil days, one should seek to avoid putting oneself in the position of admonishing a ruler;¹⁹⁰ but he also emphasises that, if one does so, one should proceed only with the utmost tact,¹⁹¹ and it is this latter counsel that seems generally to have informed his own practice.¹⁹² We cannot, of course, infer that in this or other respects Ibn al-Jawzī spoke for all the Ḥanbalites of his day. Thus his younger contemporary Ishāq al-ʿAlthī was, as we have seen, considerably more abrasive in his approach to admonishing the reigning caliph.¹⁹³ What the two nevertheless have in common is that neither displays the aversion to contact with the state that permeates Ibn Ḥanbal's responsa.

It is time to place these stray hints in a wider historical context. Between the third/ninth and sixth/twelfth centuries, Ḥanbalism had undergone a significant evolution, one which tended to bring it out of the sectarian ghetto and into the mainstream of Muslim life. In part, as we have seen, this was the result of the increased power that the Ḥanbalite community had come to enjoy in Baghdad, and of the fear and favour this power could elicit from non-Ḥanbalite rulers and neighbours. But it was also, in part, a matter of concessions on the part of the Ḥanbalites. It is this Ḥanbalite fence-mending of which Ibn al-Jawzī represents the culmination.

¹⁸⁶ Aḥmad ibn Qudāma, *Mukhtaṣar*, 130.10. ¹⁸⁷ *Ibid.*, 130–40. ¹⁸⁸ *Ibid.*, 140.7.

¹⁸⁹ In principle, these shifts could be the work of Aḥmad ibn Qudāma rather than of Ibn al-Jawzī; but the account the former gives of his editorial role (*Mukhtaṣar*, 2.8) goes against such a hypothesis.

¹⁹⁰ Ibn al-Jawzī (d. 597/1201), *Ṣayd al-khāṭir*, ed. A. Abū Sunayna, Amman 1987, 410.8. ¹⁹¹ *Ibid.*, 409.8.

¹⁹² Cf. above, note 96. Ibn al-Jawzī wrote a work on admonishing rulers (*al-Shifāʾ fī mawāʿiẓ al-mulūk waʾl-khulafāʾ*, ed. F. ʿA. Aḥmad, Alexandria 1978; the editor aptly quotes the *Ṣayd al-khāṭir*, *ibid.*, 26f.). It is full of invocations of Sasanian monarchs and other religiously dubious characters. Much similar or identical material is also to be found in his work *al-Miṣbāḥ al-mudīʾ* (ed. N. ʿA. Ibrāhīm, Baghdad 1976–7), which he wrote for his admirer the caliph al-Mustaḍī. ¹⁹³ See above, note 102.

One aspect of the adaption was formal rather than substantive, and it is nicely described by Ibn al-Jawzī himself, albeit from a somewhat egocentric perspective. At the beginning of a short tract against anthropomorphism, he explains that he had found the Ḥanbalite school disadvantaged in competition with its rivals by its literary deficiencies: whole genres of religious literature were missing as a result of the traditionist bias of the school. Ibn al-Jawzī therefore set about filling the gap, composing some 250 works, among them a treatise on dogmatics.¹⁹⁴ He is, of course, bound to admit that he was not the first Ḥanbalite scholar active in this latter field; he names three of his predecessors,¹⁹⁵ though he proceeds to dismiss them for reasons I shall come to.¹⁹⁶ Ibn al-Jawzī was thus taking the credit for a programme designed to bring Ḥanbalism into line with other schools.

The same pressures were also at work on the content of the Ḥanbalite tradition. The tract of Ibn al-Jawzī just cited is devoted to one of the sorest points of friction between Ḥanbalites and other Sunnīs: the allegation that Ḥanbalites are anthropomorphists (*mushabbiḥa*). Yet the purpose of the tract is not, as might have been expected, to refute this calumny,¹⁹⁷ but rather to excoriate major Ḥanbalite authorities of the past for having invited it. Previous Ḥanbalite works on dogmatics, Ibn al-Jawzī complains, were in this respect a disgrace to the school.¹⁹⁸ Another such issue arose out of the traditional Ḥanbalite partiality for the Umayyads in the face of the philo-ʿAlid sentiments widespread in mainstream Sunnism. Here the sore point was Ḥanbalite opposition to the cursing of the caliph Yazīd (r. 60–4/680–3), and here too Ibn al-Jawzī sought to bring his fellow-Ḥanbalites into line.¹⁹⁹

¹⁹⁴ For this work, see above, note 173.

¹⁹⁵ Viz. Ibn Ḥāmid (see above, note 117), Abū Yaʿlā (cf. above, 129) and Ibn al-Zāghūnī (d. 527/1132) (see Makdisi, *Ibn ʿAqīl*, 265–7).

¹⁹⁶ For all this, see Ibn al-Jawzī, *Dafʿ*, 24–6.

¹⁹⁷ Contrast the outright rejection of the charge of Ḥanbalite anthropomorphism by Abū Yaʿlā (Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:211.11) and Ibn ʿAqīl (Ibn al-Jawzī, *Muntaẓam*, 9:58.15, cited in Glassen, *Mittlere Weg*, 77 n. 141).

¹⁹⁸ Ibn al-Jawzī, *Dafʿ*, 26.6. He cites such gems as Ibn Ḥāmid's statement that God has a face, though one may not affirm that He has a head; this is the kind of thing that makes Ibn al-Jawzī's flesh creep (*ibid.*, 31.10).

¹⁹⁹ See *ibid.*, 29.3, and below, note 203. Ibn Ḥanbal's attitude to the question was non-committal (see Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:246.6; and cf. *ibid.*, 347.8, 2:273.10). The Damascene Ḥanbalite ʿAbd al-Ghanī al-Maqdisī (d. 600/1203) took the view that Yazīd was a legitimate caliph whom one is free to love or not, but not to revile (Ibn Rajab, *Ḍhayl*, ed. Fiqī, 2:34.3). Ibn al-Jawzī's negative attitude to Yazīd contrasts with his lenience towards a man who made the mistake of supposing that ʿĀʾisha (d. 57/678) became a rebel (*ṣārat min jumlat al-bughāt*) when she fought against ʿAlī (r. 35–40/656–61) in the first civil war (Ibn al-Jawzī, *Muntaẓam*, 10:286.10).

This is not to say that Ibn al-Jawzī had everything his own way. He himself makes it clear that there were Ḥanbalites in his day who failed to appreciate his efforts to clean up their traditional theology.²⁰⁰ Indeed we have excerpts from an eloquently offensive epistle addressed to Ibn al-Jawzī by an unreconstructed Ḥanbalite;²⁰¹ the writer is the same Iṣḥāq al-ʿAlthī, who as usual was performing the duty of forbidding wrong.²⁰² Another old-fashioned Ḥanbalite, ʿAbd al-Mughīth al-Ḥarbī (d. 583/1187), ceased to be on speaking terms with Ibn al-Jawzī over the question of the cursing of Yazīd; this did not prevent a vigorous literary polemic between them.²⁰³ Nor were these the only issues on which Ibn al-Jawzī was at odds with conservative sentiment in his own school.²⁰⁴ But for all this opposition, it is clear that Ibn al-Jawzī was a central figure in the development of Ḥanbalism.

Against this broader background, the links suggested above between the theory and practice of forbidding wrong from Barbahārī to Ibn al-Jawzī are plausible enough; and they mesh well with the general historical evolution of the Ḥanbalite community in the centuries after the death of its founder. Yet these links are a meagre harvest, and they do not make for satisfying intellectual history. It is tempting to conclude that the whole doctrine had long been in need of rethinking in the light of changed historical realities. But who, in a school as explicitly conservative as Ḥanbalism, could be expected to undertake such an enterprise?

If there was to be any answer to this question, it was unlikely to emerge from post-ʿAbbāsīd Baghdad. Our knowledge of the history of the Ḥanbalite community of the city in this period is very sketchy,²⁰⁵ but it must have suffered from the general decline of the city following the Mongol conquest. What is clear is that the centre of Ḥanbalite literary activity had

²⁰⁰ Ibn al-Jawzī, *Dafʿ*, 91.8 (on the *jamāʿa min al-jubbāl* who disliked his book); cf. also Ibn Rajab, *Dhayl*, ed. Fiqī, 1:414.13. ²⁰¹ *Ibid.*, 2:205–11.

²⁰² See particularly *ibid.*, 206.14 (citing Q5:79).

²⁰³ *Ibid.*, 1:356.3 (with information on the earlier history of the dispute); Mason, *Two statesmen*, 93f.; Hartmann, *an-Nāṣir*, 169f. Ibn al-Jawzī's contribution to the debate has now been published (Ibn al-Jawzī (d. 597/1201), *al-Radd ʿalā ʿl-mutaʿaṣṣib al-ʿanīd*, ed. M. K. al-Mahmūdī, n.p. 1983); its keynote is the ascription of *ʿaṣabiyya ʿammīyya* to his opponent (*ibid.*, 7.2, 9.3, 12.14).

²⁰⁴ Cf. the quarrel over the question whether the *Musnad* of Ibn Ḥanbal contained traditions which were not 'sound' (*ṣaḥīḥ*) (Ibn al-Jawzī, *Ṣayd al-khāṭir*, 308.2; Ibn Rajab, *Dhayl*, ed. Fiqī, 1:357.18).

²⁰⁵ Laoust touched on the subject in some of his publications (see Laoust, 'Le hanbalisme sous le califat de Bagdad', 118 n. 325; H. Laoust, *Essai sur les doctrines sociales et politiques de Taḳī-d-Dīn Aḥmad b. Taimīya*, Cairo 1939, 493f.; Laoust, 'Le hanbalisme sous les Mamlouks bahrides', *l.f.*, 39, 64f.). But he never made good his undertaking to write the history of the Ḥanbalites of Baghdad under the Īlkhāns (r. 654–736/1256–1335) (*ibid.*, 1 n. 2). For some information relating to this period, see above, notes 89, 104. Subsequent centuries have received even less attention.

shifted to the western Fertile Crescent, particularly Damascus. It was here that the Ḥanbalite biographical tradition now flourished. Incidental references in this tradition to Ḥanbalites who migrated westwards from Baghdad provide indirect testimony to the continuing existence of a Ḥanbalite community for two or three centuries after the fall of the city.²⁰⁶ We again hear about Ḥanbalites in Baghdad towards the end of the twelfth/eighteenth century.²⁰⁷ No doubt the community had maintained a continuous existence throughout the period, but its contribution to the intellectual history of Ḥanbalism was negligible.

²⁰⁶ The half-dozen Baghdādīs to whom Muḥīr al-Dīn al-ʿUlaymī (d. c. 927/1521) devotes biographies are all scholars who migrated westwards (*al-Manhaj al-aḥmad fī tarājīm aṣḥāb al-imām Aḥmad*, ed. ʿA. al-Arnāʾūṭ *et al.*, Beirut 1997, 5:197f. no. 1486, 222–8 no. 1538, 232f. no. 1544, 244 no. 1559, 246 no. 1565, 314f. no. 1653, to which may be added Yūsuf ibn al-Ḥasan ibn ʿAbd al-Ḥādī (d. 909/1503), *al-Jawhar al-munaḍḍad fī ṭabaqāt mutaʾakbkhiri aṣḥāb Aḥmad*, ed. ʿA. S. al-ʿUthaymīn, Cairo 1987, 171f. no. 201; I cite only cases where the scholar in question is explicitly indicated to have lived in Baghdad). The death dates of these scholars range from 807/1405 to 900/1495. Ḥanbalite scholars who stayed at home in Baghdad were either unknown to ʿUlaymī or ignored by him.

²⁰⁷ Najm al-Dīn al-Ṭūrānī (d. c. 1184/1770f.) began a career in Baghdad before migrating to Istanbul (Kamāl al-Dīn al-Ghazzī (d. 1214/1799), *al-Naʿt al-akmal li-aṣḥāb al-imām Aḥmad ibn Ḥanbal*, ed. M. M. al-Ḥāfiẓ and N. Abāza, Damascus 1982, 299.8; Murādī (d. 1206/1791), *Silk al-durar*, Būlāq 1291–1301, 3:192.6). Likewise Jamīl al-Shaṭṭī (d. 1379/1959) dates the migration of his ancestors from Baghdad to Damascus around 1180/1766 (*Mukhtaṣar Ṭabaqāt al-Ḥanābila*, Damascus 1339, 155.2).

CHAPTER 7

THE ḤANBALITES OF DAMASCUS

1. INTRODUCTION

The shift of the Ḥanbalite metropolis from Baghdad to Damascus represents the first of two major geographical discontinuities in Ḥanbalite history. Up the end of the ‘Abbāsīd caliphate, Baghdad had remained the undisputed centre of the Ḥanbalite school; and even after the Mongols sacked the city in 656/1258, the Ḥanbalite scholars of Baghdad retained a certain distinction. But it was the Ḥanbalites of Damascus, already prominent in late ‘Abbāsīd times,¹ who now played the leading role in Ḥanbalite scholarship. It is to this milieu, for example, that we owe our first substantial Ḥanbalite law-book, the voluminous survey of Muwaffaq al-Dīn ibn Qudāma (d. 620/1223).² The result of this geographical shift was

¹ For the rise of Ḥanbalite scholarship in Damascus from the late fifth/eleventh century, and particularly under the Ayyūbids (570–658/1174–1260), see Laoust, ‘Le hanbalisme sous le califat de Bagdad’, 121–5, and L. Pouzet, *Damas au VIIe/XIIIe siècle*, Beirut 1988, 81–3.

² The *Mughnī* is a commentary on the early but frustratingly concise textbook of the Baghdādī Ḥanbalite Khiraqī (d. 334/945f.) (*Mukhtaṣar*, ed. M. Z. al-Shāwīsh, Damascus 1378). One part of Ibn Qudāma’s work that bears on the duty of *al-amr bi’l-ma’rūf* is that dealing with the wedding feast (*walīma*) (Ibn Qudāma, *Mughnī*, 7:1–17; by contrast, the treatment of this topic in Khiraqī, *Mukhtaṣar*, 148f. contains nothing of interest to us). One may encounter various abominations at wedding feasts, notably music, liquor and images. This gives rise to two levels of discussion. The first is concerned with what exactly is prohibited under these headings. With regard to music, the main point established is the lawfulness of the tambourine, at least in this context (Ibn Qudāma, *Mughnī*, 7:10.11, and see also Ibn Qudāma, *Muqni*^ʿ, Cairo n.d., 223.20; on the status of the tambourine, see also above, ch. 5, notes 19–22, and ch. 6, note 32). With regard to images, the position is more complicated – it depends on what they are images of, and where they are placed (*ibid.*, 223.15, and Ibn Qudāma, *Mughnī*, 7:6.8). The second level of discussion concerns one’s duty as a prospective guest. Ibn Qudāma’s view is that, if one has prior knowledge of the abomination, one should attend only if able to take action to put a stop to it; if one encounters an abomination unexpectedly, and is unable to put a stop to it, one should leave (*ibid.*, 5.11, and cf. 6.5; similarly Ibn Qudāma, *Muqni*^ʿ, 223.13). If, however, the abomination is not out in the open, one may attend and eat (*ibid.*, 223.15, and Ibn Qudāma, *Mughnī*, 7:10.23). As to practicalities, an image is best neutralised by decapitating it (*ibid.*, 7.6). These issues are discussed in very similar terms in later Ḥanbalite law-books (see, for

that Ḥanbalite thought now evolved in a markedly different setting. Living as they did in a predominantly Shāfiʿite city, the Ḥanbalites of Damascus were a minority of the population³ – albeit, as Madelung has put it, a vocal and respected one.⁴ There could thus be no question of their dominating Damascene society, whether with or against the state; and Ḥanbalite demagoguery in the style of Barbahārī was never a serious option in Damascus.⁵

The attitude of the state was accordingly a key factor in determining how far the Ḥanbalite community was left out in the cold. Here there was a

Footnote 2 (*cont.*)

example, Majd al-Dīn ibn Taymiyya (d. 653/1255), *al-Muḥarrar fī ʿl-ḥiḡḡ*, Cairo 1950, 2:40.9; Muḥammad ibn ʿAbd al-Wahhāb (d. 1206/1792), *Mukhtaṣar al-Inṣāf waʿl-Sharḥ al-kabīr*, Cairo n.d., 445.19). Another part of the law-book that is concerned with the identification of abominations, though not with the duty of forbidding them, is that dealing with probity (*ʿadāla*) as a precondition for the validity of testimony (Ibn Qudāma, *Mughnī*, 9:167–82). Several of the activities that can disqualify testimony are familiar to us: playing backgammon (*ibid.*, 170.14) or chess (*ibid.*, 171.2), making music in most forms (*ibid.*, 173.1, with the usual lenience towards the tambourine, *ibid.*, 174.3), going naked in the bath-house (Ibn Qudāma, *Mughnī*, 245.14). There are others which I have not noticed in discussions of *al-amr biʿl-maʿrūf*: eating in the market-place (Ibn Qudāma, *Mughnī*, 9:168.22), stretching out one’s legs in company (*ibid.*, 169.1). The familiar question arises of someone who does something reprehensible which in his law-school is deemed permitted (*ibid.*, 181.19, and cf. 172.5 on chess). Again, much the same material recurs in later Ḥanbalite law-books (see, for example, Majd al-Dīn ibn Taymiyya, *Muḥarrar*, 2:266–9, and Ibn ʿAbd al-Wahhāb, *Mukhtaṣar*, 497.23).

³ As we read in an anecdote set in the late 520s/early 1130s: *hādihā ʿl-balad ʿammātuhu Shāfiʿiyya* (Ibn Rajab, *Ḍhayl*, ed. Laoust and Dahan, 238.17). At the end of the reign of Nūr al-Dīn (r. 541–69/1147–74), the Ḥanbalites held only two out of a score of *madrasas* in Damascus (N. Elisséeff, *Nūr ad-Dīn*, Damascus 1967, 758, 914); in 700/1300f. they held ten out of ninety-four (Pouzet, *Damas*, 426, but cf. 85). Moreover the Ḥanbalite population was concentrated in the Šālihiyya quarter outside the city proper (I. M. Lapidus, *Muslim cities in the later middle ages*, Cambridge, Mass. 1967, 85f.).

⁴ Madelung, ‘The spread of Māturīdism’, 110 n. 3; similarly R. S. Humphreys, *From Saladin to the Mongols: the Ayyubids of Damascus, 1193–1260*, Albany 1977, 190, 191.

⁵ Goldziher portrayed the Damascene Ḥanbalites as generally enjoying the support of ‘das mit den Ḥanbaliten sympathisierende Volk’ (Goldziher, ‘Zur Geschichte der ḥanbalitischen Bewegungen’, 24f.). In support of this he cited two passages from Subkī’s biographies of Ashʿarite scholars of the city. The first is from the biography of Fakhr al-Dīn ibn ʿAsākir (d. 620/1223). Subkī alludes to clashes between this scholar and the Ḥanbalites, describing them as the kind of thing that commonly occurs between the Ashʿarites and the Ḥanbalite scum (*raʿāʿ al-Ḥanābila*), and adding that this Ibn ʿAsākir made a point of avoiding places where he was likely to encounter Ḥanbalites for fear of being assaulted (Subkī, *Ṭabaqāt*, 8:184.12). The second passage is from the biography of ʿIzz al-Dīn ibn ʿAbd al-Salām (d. 660/1262). Here Subkī describes how, thanks to the attitude of al-Malik al-Ashraf (r. 626–35/1229–37), the Ḥanbalites had the upper hand in the conflict between the two schools; when they found themselves alone with Ashʿarites in out-of-the-way places, they would revile them and beat them up (*ibid.*, 237.14; Goldziher’s rendering is misleading in suggesting that Ḥanbalites could behave in this way wherever they encountered Ashʿarites). The passages are clearly evidence of violent tendencies among the Ḥanbalites, but they do not document the activity of a philo-Ḥanbalite mob. The only reference to such a mob that I have encountered is the common folk (*sūqa*) whom Nāṣiḡ al-Dīn ibn al-Ḥanbalī (d. 634/1236) threatened to mobilise when the Ḥanbalite position in the Umayyad Mosque was under attack (Abū Shāma (d. 665/1267), *Tarājim riḡāl al-qarnayn al-sādis waʿl-sābiʿ*, ed. ʿI. al-ʿAṭṭār al-Ḥusaynī, Cairo 1947, 47.5, cited in Pouzet, *Damas*, 89).

gradual shift in its favour. The Zangid and early Ayyūbid state was not over-friendly. Nūr al-Dīn (r. 541–69/1147–74) was ambivalent,⁶ Saladin (r. 570–89/1174–93) was strongly inclined to the Shāfi‘ites,⁷ and al-Malik al-‘Ādil (r. 592–615/1196–1218) had a serious clash with the Ḥanbalites.⁸ But the later Ayyūbids were better disposed towards them,⁹ and in the first century of the rule of their Mamlūk successors (658–922/1260–1516), conditions improved still further. Thanks to the catholic policy adopted by the Mamlūks towards the four surviving Sunnī law-schools, there was now for the first time a Ḥanbalite judge in Damascus.¹⁰ This did not lead to a high level of Ḥanbalite involvement in government: few Ḥanbalites took positions in the state bureaucracy,¹¹ or were even appointed to the office of censor.¹² On the other hand, salaried appointments in institutions of learning became a prominent feature in the careers of Ḥanbalite scholars from about the middle of the seventh/thirteenth century.¹³ For a minority with no obvious claim to the favour of state or society, the Ḥanbalites had come to occupy a surprisingly comfortable position.

These conditions did not generate anything resembling the intimacy between the Ḥanbalites and the state that we saw in late ‘Abbāsīd Baghdad. Some Ḥanbalites were indeed associated with major political figures: Ibn Najīyya (d. 599/1203) had close links with Saladin,¹⁴ and Jamāl al-Dīn al-Maqqīsī (d. 629/1232) was accused of being too well disposed towards rulers.¹⁵ Other Ḥanbalites are described as enjoying the respect of kings.¹⁶ But in general the Ḥanbalites were not intimately linked to the state. Yet they were not deeply alienated from it. One old-fashioned Ḥanbalite

⁶ See Madelung, ‘The spread of Māturīdism’, 155 n. 126.

⁷ See Madelung’s characterisation of his religious affiliations, *ibid.*, 157–61.

⁸ *Ibid.*, 159f. n. 132.

⁹ Humphreys, *From Saladin to the Mongols*, 190f., 211. Humphreys, however, overstates the goodwill of al-Malik al-Mu‘azzam (r. 615–24/1218–27) towards the Ḥanbalites (see Madelung, ‘The spread of Māturīdism’, 160 n. 132; the final paragraph of this extended footnote helps to explain the vagaries of official treatment of the Ḥanbalites in this period).

¹⁰ For an illuminating account of Mamlūk policy against the background of the generally more partisan attitudes of earlier Sunnī regimes, see Madelung, ‘The spread of Māturīdism’, 164–6. This account does not seem to have been noted in the subsequent literature on the subject (see, for example, Pouzet, *Damas*, 107–12).

¹¹ See Ibn Rajab, *Dhayl*, ed. Fiqī, 2:225.22, 378.14, for a couple of examples; also Pouzet, *Damas*, 94 n. 386.

¹² For two instances, see Ibn Rajab, *Dhayl*, ed. Fiqī, 2:377.8, 441.2, and see Pouzet, *Damas*, 93f.

¹³ Ibn Rajab’s references become numerous with the generation of scholars dying in the 680s/1280s (see for example Ibn Rajab, *Dhayl*, ed. Fiqī, 2:305.13, 311.10, 319.21, 321.7, 322.9).

¹⁴ *Ibid.*, 1:437.22 (and cf. *ibid.*, 437.1, on his relations with Nūr al-Dīn). His relations with Saladin are already noted from a later source in Goldziher, ‘Zur Geschichte der ḥanbalitischen Bewegungen’, 21. ¹⁵ Ibn Rajab, *Dhayl*, ed. Fiqī, 2:186.11.

¹⁶ *Ibid.*, 194.1, 304.20, 433.22.

scholar, Najm al-Dīn al-Shīrāzī (d. 586/1190), occupied no state office, and was glad to recall this on his death-bed.¹⁷ Occasionally Ḥanbalites showed great reservation about accepting the office of judge: the first Ḥanbalite judge of Damascus, Ibn Abī ‘Umar al-Maqdisī (d. 682/1283), took the position against his will, and drew no salary for it.¹⁸ Very rarely a Ḥanbalite scholar would even steer clear of income from scholastic endowments.¹⁹ But if we set aside the case of ‘Abd al-Ghanī al-Maqdisī (d. 600/1203), there was little disposition on the part of the Ḥanbalite scholars of Damascus to get into confrontation with the state.

‘Abd al-Ghanī was by any standards an unusual figure.²⁰ A man of electrifying presence,²¹ he had a way of getting into trouble wherever he went.²² He had no inhibitions about standing up to rulers. In Damascus he clashed more than once with al-Malik al-‘Ādil. He was uncommonly rude to this ruler, but nonetheless got away with it.²³ Indeed al-‘Ādil confessed to being terrified of ‘Abd al-Ghanī; when the latter came into his presence, he said, he felt as though a wild beast had come to devour him.²⁴ In the end, al-‘Ādil expelled ‘Abd al-Ghanī from Damascus when he refused to back down in a recrudescence of the old theological quarrel between Ḥanbalites and Ash‘arites.²⁵ If Damascus could have supplied a suitable Ḥanbalite mob, and rulers as weak as those of Barbahārī’s day, then ‘Abd al-Ghanī might have developed into a Damascene demagogue;²⁶ but as it was, he was something of a lone wolf.

The anecdotal record of forbidding wrong among the Ḥanbalites of Damascus is pretty much what might be expected against this background. ‘Abd al-Ghanī was, of course, a star performer.²⁷ He was a great breaker of

¹⁷ *Ibid.*, 1:368.13. Ḥanbalites in this period were subject to criticism for their poverty and lack of office (*qillat al-manāṣib*) (*ibid.*, 377.9).

¹⁸ *Ibid.*, 2:306.8. See also *ibid.*, 380.15, for Shams al-Dīn ibn Musallam (d. 726/1326).

¹⁹ For Maḥāsīn ibn ‘Abd al-Malik al-Ḥamawī (d. 643/1245), see *ibid.*, 234.7; for Fakhr al-Dīn al-Sa’dī (d. 690/1291), see *ibid.*, 327.1. The language used in the latter case is strong: *lam yatadannas min al-awqāf bi-shay’*.

²⁰ For his background, see J. Drory, ‘Ḥanbalīs of the Nablus region in the eleventh and twelfth centuries’, *Asian and African Studies*, 22 (1988); for ‘Abd al-Ghanī himself, see *ibid.*, 105f., 108 no. 15.

²¹ For the effect of his presence in the streets of Iṣbahān and Cairo, see Ibn Rajab, *Dhayl*, ed. Fiqī, 2:14.10. ²² For incidents in Iṣbahān and Mosul, see *ibid.*, 19.18, 20.8.

²³ *Ibid.*, 13.8. ²⁴ *Ibid.*, 14.4.

²⁵ Madelung, ‘The spread of Māturīdism’, 159f. n. 132; Goldziher, ‘Zur Geschichte der ḥanbalitischen Bewegungen’, 24. ²⁶ Cf. Ibn Rajab, *Dhayl*, ed. Fiqī, 2:13.4.

²⁷ He was also the author of a short work on the duty (see Sibṭ ibn al-Jawzī, *Mir’āt*, 8:520.15; Ibn Rajab, *Dhayl*, ed. Fiqī, 2:18.11); an autograph is extant in the Zāhiriyya (Majmū’ no. 3,852 = Majmū’ 116, item 5, for which see Sawwās, *Fihriis*, 623, no. 5), and it has now been edited (see above, ch. 3, note 27). As might be expected, this *Kitāb al-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar* is a collection of traditions on the subject, not a juristic analysis.

mandolins and flutes (*shabbābāt*).²⁸ On one occasion his target was mandolins which were being transported to a drinking-party given by members of the family of Saladin.²⁹ On another occasion he was pouring away wine when the irate owner drew his sword; ‘Abd al-Ghanī simply grabbed it.³⁰ In the time of al-Malik al-Afḍal (r. 582–92/1186–96), he once fell foul of the judge of the city as a result of his zeal in smashing musical instruments. He ignored the judge’s summons, declaring the tambourine (*daff*) and flute (*shabbāba*) to be forbidden.³¹ On receiving a second summons which made mention of the ruler’s stake in the matter, he expressed the hope that God would strike the necks of both judge and ruler; on this occasion too, he got away with it.³²

Although ‘Abd al-Ghanī was in a class by himself,³³ there are colourful references to the performance of the duty by one or two of his contemporaries. His brother ‘Imād al-Dīn al-Maqdisī (d. 614/1218) was much given to it. He always corrected faulty prayer, and he was once beaten up when he took on a group of evil-doers and smashed the instruments of their depravity;³⁴ like his brother, he could be bad news for musicians.³⁵ Another contemporary, Sayf al-Dīn al-Maqdisī (d. 586/1190), lost a tooth while obeying the call of duty in Baghdad.³⁶ In the following century and a half, there are further references to Damascene scholars as performers of the duty;³⁷ but they are not very frequent, and they are marked by a certain perfunctoriness. This goes well with the increasingly integrated position of the Ḥanbalite community in the city.

At first sight the celebrated Ḥanbalite scholar Ibn Taymiyya (d. 728/1328) seems out of place in this setting. With his notorious disposition to rock the boat, he was in some ways a throwback to ‘Abd al-Ghanī. His

²⁸ Ibn Rajab, *Dhayl*, ed. Fiḳī, 2:13.1. ²⁹ *Ibid.*, 13.2. ³⁰ *Ibid.*, 12.22.

³¹ Cf. above, ch. 6, note 32.

³² *Ibid.*, 13.15. All this material appears also in Dhahabī, *Siyar*, 21:454–6.

³³ A contemporary Ḥarrānīan who perhaps bears comparison with him is Naṣrallāh ibn ‘Abdūs (d. before 600/1204). He poured out the wine of Saladin’s brother-in-law Muzaḥḥar al-Dīn Gökböri (ruled Irbil 586–630/1190–1233, see *EI*², art. ‘Begteginids’ (C. Cahen)) at a time when the latter held Ḥarrān. When summoned to explain himself, Ibn ‘Abdūs denounced Muzaḥḥar al-Dīn to his face for his wrongdoing. Muzaḥḥar al-Dīn would have flogged him for this insulting behaviour, but was dissuaded because of the high standing Ibn ‘Abdūs enjoyed with the populace (Ibn Rajab, *Dhayl*, ed. Fiḳī, 1:447.15, and cf. 447.9). ³⁴ *Ibid.*, 2:95.21. ³⁵ *Ibid.*, 100.23. ³⁶ *Ibid.*, 1:372.7.

³⁷ I have noted the following: (1) Shihāb al-Dīn al-Maqdisī (d. 618/1221) (*ibid.*, 2:124.13); (2) Sayf al-Dīn ibn Qudāma (d. 643/1245) (*ibid.*, 241.13); (3) ‘Izz al-Dīn ibn Qudāma (d. 666/1267) (*ibid.*, 278.4); (4) Ibn al-Jayshī (d. 678/1279) (*ibid.*, 297.1); (5) Taqī al-Dīn al-Wāsiṭī (d. 692/1293) (*ibid.*, 330.18); (6) Ibn Taymiyya (d. 728/1328) (*ibid.*, 389.13); (7) Muḥammad ibn Aḥmad al-Tallī (d. 741/1340) (*ibid.*, 434.1). Similar statements are occasionally made about scholars outside Damascus and Baghdad (*ibid.*, 164.16, 425.9). For Ibn Taymiyya’s performance of the duty, see further below, note 42.

abrasive personality and inability to compromise meant that he too was forever getting himself into trouble.³⁸ As Little puts it: 'It is Ibn Taymiyya's distinction that he opposed by word and deed almost every aspect of religion practiced in the Mamluk Empire.'³⁹ His frequent collisions with the authorities were marked by a whole succession of official investigations and imprisonments.⁴⁰ If we add to these dramatic events his popularity with the common people of Damascus,⁴¹ and his occasional ventures into direct action,⁴² it begins to look as if we have to reckon with a revival of Ḥanbalite populism.

In fact Ibn Taymiyya was playing a very different game. He made no attempt to cultivate street-power⁴³ – he was not a rabble-rouser, and mob scenes played little part in his life. At the same time, he maintained relations with the authorities in a style more reminiscent of Ibn al-Jawzī than of Barbahārī. He was closely associated with several military efforts directed against infidel (or allegedly infidel) enemies of the state.⁴⁴ He was available for consultation by rulers,⁴⁵ wrote letters of admonition to them,⁴⁶ and had close connections with several high-ranking members of the Mamlūk elite.⁴⁷ All in all, Ibn Taymiyya's confrontations with the authorities were a prominent, but in a sense episodic, feature of his career. Underlying them was a structural disposition to cooperate with the state, and it is cooperation rather than confrontation that is the keynote of his political thought.

³⁸ See D. P. Little, 'Did Ibn Taymiyya have a screw loose?', *Studia Islamica*, 41 (1975). The suggestion that he did have a screw loose comes from the contemporary traveller Ibn Baṭṭūṭa (d. 770/1368f.) (*ibid.*, 95).

³⁹ D. P. Little, 'Religion under the Mamluks', *The Muslim World*, 73 (1983), 180.

⁴⁰ For a summary of the record, see D. P. Little, 'The historical and historiographical significance of the detention of Ibn Taymiyya', *International Journal of Middle East Studies*, 4 (1973), 313.

⁴¹ *Ibid.*, 324 (quoting Dhahabī).

⁴² In 699/1300, he and a group of disciples toured the taverns of Damascus, smashing bottles and splitting skins (H. Laoust, 'La biographie d'Ibn Taymīya d'après Ibn Katīr', *Bulletin d'Études Orientales*, 9 (1942–3), 124; Laoust suggests that this rampage had a background in the higher politics of the Mamlūk elite, *ibid.*, 124f.). In 704/1305, he led a small expedition to dispose of a sacred rock in a mosque (*ibid.*, 133). See also Little, 'Did Ibn Taymiyya have a screw loose?', 107.

⁴³ One biographer gives an account of a dialogue which took place in Cairo in 711/1311 in which Ibn Taymiyya steadfastly refused a timely offer of mob support against dangerous enemies (Shams al-Dīn ibn 'Abd al-Hādī (d. 744/1343), *al-'Uqūd al-durriyya*, ed. M. Ḥ. al-Fiqī, Cairo 1938, 286.8).

⁴⁴ See Laoust, 'Biographie', 120, 124, 125, 126, 130, 132, 134.

⁴⁵ See *ibid.*, 146–9, for his relations with al-Nāṣir Muḥammad ibn Qalāwūn in 709–12/1310–13.

⁴⁶ See Ibn 'Abd al-Hādī, *'Uqūd*, 51.2; Ibn Qayyim al-Jawziyya (d. 751/1350), *Asmā' mu'allafāt Ibn Taymiyya*, ed. Ṣ. al-Munajjid, Damascus 1953, 30 nos. 11f.

⁴⁷ See Laoust, 'Biographie', 120, 132f., 140, 148, 155 and the summary at 160.

2. IBN TAYMIYYA AND FORBIDDING WRONG

Ibn Taymiyya's writings include a short work devoted to the duty of forbidding wrong.⁴⁸ It has the air of being addressed to a lay audience, and not an exclusively Ḥanbalite one.⁴⁹ There is no discussion of the views of

⁴⁸ Ibn Taymiyya (d. 728/1328), *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, ed. Š. al-Munajjid, Beirut 1984 (this edition was first published in Beirut in 1976). The work has been drawn on by T. Nagel in his *Staat und Glaubensgemeinschaft im Islam*, Zurich and Munich 1981, 2:122–4, 131f. The first edition of the work, by M. H. al-Fiqrī, was published in Cairo in 1956; I have not seen it. In preparing his edition, Munajjid used a manuscript of his own, copied in 840/1436f. from an old exemplar (Ibn Taymiyya, *Amr*, 6f.). The work is something of a bibliographical puzzle. It appears in three contexts in the corpus of Ibn Taymiyya's writings: (a) as the independent work edited by Munajjid; (b) as the second of the two parts of his *Ḥisba* (*al-Ḥisba fī 'l-Islām*, Kuwait 1983, 69–124); and (c) as one of the several parts of his *Istiḳāma* (ed. M. R. Sālim, Riyāḍ 1983, 2:198–311; Claude Gilliot kindly sent me a separate printing of the work from Sālim's edition of the *Istiḳāma* which appeared in Cairo in 1997). Three points combine to suggest that the work was not originally an independent one. (1) It is not listed among Ibn Taymiyya's works by either Ibn 'Abd al-Hādī (d. 744/1343) or Ibn al-Qayyim (d. 751/1350) (Ibn 'Abd al-Hādī, *Uqūd*, 26–67; Ibn al-Qayyim, *Asmā*), nor by other biographers whose works I have consulted. This is not, however, conclusive: Ibn al-Qayyim is explicit that he can make no claim to know all his master's works (*ibid.*, 9.2), and Ibn 'Abd al-Hādī complains that these had already become a bibliographical nightmare in the lifetime of their author (*Uqūd*, 65.9). (2) The work has no title in Munajjid's manuscript; the heading *min kalām . . . Ibn Taymiyya fī 'l-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar* (Ibn Taymiyya, *Amr*, 7) is merely a copyist's description. Moreover, in a printing dependent on Fiqrī's edition, the work is implicitly presented as an extract from some larger text, being described as *faṣl fī 'l-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar* (Cairo n.d. (preface dated 1978), 5.2). (3) The work does not begin properly in Munajjid's edition: there are opening invocations, but no *ammā ba'd*. Yet if the work was not originally independent, neither does it seem to be an original part of the *Ḥisba*. The first part of that work (devoted, unlike the second, to the subject advertised by the title) is complete in itself: it ends with invocations appropriate to the end of a book, not to the end of a section within one (*Ḥisba*, 66.10). By elimination, then, our tract seems likely to be an original part of the *Istiḳāma*, despite the looseness of the association of the various parts of that work. This is confirmed by the very early attestation of the *Istiḳāma* in the form in which we now have it: the only known manuscript is dated 717/1317 (see *Istiḳāma*, 2:348.16, and the editor's introduction, *ibid.*, 1:22f.); and it bears a *waqfiyya* dated 755/1354f. (*ibid.*, 21). But there is a final complication: all texts except that published by Munajjid are distinguished by a lacuna, lacking the material found in Munajjid's edition at *Amr*, 15.12–17.5. This material is missing at *Ḥisba*, 73.14, and at *Istiḳāma*, 2:209.2 (but in this latter case the editor has filled the lacuna from an edition of the *Amr* based on Munajjid's, see *Istiḳāma*, 210 n. 1, and, for the symbols, 198 n. 4); and it is also clear from Munajjid's introduction (*Amr*, 8) that the material is likewise missing in Fiqrī's edition. (It is naturally also missing in the translation of the relevant passage from the *Ḥisba* in Laoust, *Essai*, 601–5; the lacuna is at 602.5.) That we do indeed have to do with a lacuna in these texts (and not with an interpolation in Munajjid's) is clear from the context: the *wa-li-hādihā qīla . . .* with which the text resumes makes little sense in the standard text, but is entirely logical in Munajjid's. The implication is that Munajjid's text preserves material already lost in a manuscript of 717/1317. Moreover, the lacuna falls in the middle of a folio in the manuscript of the *Istiḳāma*; hence the source of the trouble cannot be the loss of a folio from this manuscript, and must antedate its copying.

⁴⁹ Ibn Taymiyya was firmly committed to the four-school doctrine (see, for example, Madelung, 'The spread of Māturīdism', 166 n. 150; Ibn Taymiyya, *Ḥisba*, 31.14, 36.12).

earlier scholars;⁵⁰ the style is somewhere between preaching and lecturing, and suffers from a marked tendency to digression.⁵¹ The presentation thus has none of the systematic character of Abū Yaʿlā's. It equally lacks the rich and concrete detail that characterises Ibn Ḥanbal's responsa;⁵² bar a passing reference to tomb-cults,⁵³ there is little in the work that makes direct reference to the realities of contemporary life.⁵⁴

It is possible to retrieve from this text at least the outlines of a conventional doctrine of forbidding wrong, though this, as we shall see, is not where its main interest lies. As might be expected, Ibn Taymiyya makes much of the significance of the duty. It is what God's revelation is all about,⁵⁵ and it is closely linked to the duty of holy war.⁵⁶ Like holy war, it is a duty by which all are obligated until someone actually undertakes it;⁵⁷ it is thus a collective duty (*'alā 'l-kifāya*), rather than one incumbent by its nature on each and every individual.⁵⁸ At the same time, no one on earth

Footnote 49 (*cont.*)

He even wrote a short work on the merits (*ṣaḍā'il*) of the four *imāms* – including, presumably, Abū Ḥanīfā (see Ibn 'Abd al-Hādī, *'Uqūd*, 46.13, and Ibn al-Qayyim, *Asmā'*, 27 no. 4; for similar works by other Ḥanbalite scholars, see Ibn Rajab, *Dhayl*, ed. Fiḡr, 2:256.20, 435.11).

⁵⁰ He once refers to the *Mu'tamad* of Abū Yaʿlā, but only for the Prophetic tradition of the three qualities (see above, ch. 3, note 59), which he then proceeds to quote in a rather different version (Ibn Taymiyya, *Amr*, 30.11, and cf. Abū Yaʿlā, *Mu'tamad*, 196.18 (§354); Ibn Taymiyya may, of course, have used the unabridged version of the book).

⁵¹ We are treated to a lengthy condemnation of miserliness (*bukhl*) (Ibn Taymiyya, *Amr*, 50.14–52.13), and to analyses of the meanings of the terms *islām* (*ibid.*, 72.6–74.2) and *sunna* (*ibid.*, 77.9).

⁵² A reference to the dispensation in favour of tambourines at weddings (*ibid.*, 59.4) is unusually specific, and places Ibn Taymiyya in the moderate mainstream of Ḥanbalite opinion on this point (cf. above, ch. 6, note 32). There are indeed responsa of Ibn Taymiyya which touch on *al-amr bi'l-ma'rūf*. In one, the questioners demand a plain answer to a question about vicious gossip (*ghība*), so that those who perform the duty will know what they are doing (*Majmū' fatāwā Shaykh al-Islām Aḥmad ibn Taymiyya*, collected and arranged by 'A. Ibn Qāsim al-ʿĀsimī, Riyāḍ 1381–6, 28:222.7). Another concerns a man who goes on pleasurable outings where he encounters abominations which he lacks the power to act against; what is more, he takes his wife with him (*ibid.*, 239.1). But such responsa are few and far between compared to those of Ibn Ḥanbal.

⁵³ Ibn Taymiyya, *Amr*, 16.15. This was, of course, a favourite target of Ibn Taymiyya's honest indignation.

⁵⁴ His listing of the main substantive matters in connection with which the duty arises is more an inventory of the law and faith of Islam than an identification of the concrete situations a believer is likely to encounter (Ibn Taymiyya, *Amr*, 15.15–17.3). He gives similar lists in other works (*al-Siyāsa al-shar'iyya*, Beirut n.d., 66.16, and *Aḥqad ahl al-sunna wa'l-firqa al-nājiyya*, Cairo 1358, 60.2; the latter is presumably the *'Adawiyya*, or epistle to the house of Shaykh 'Adī ibn Musāfir (d. 557/1161f.), to which the bibliographers refer, see Ibn 'Abd al-Hādī, *'Uqūd*, 50.8, and Ibn al-Qayyim, *Asmā'*, 30 no. 6).

⁵⁵ Ibn Taymiyya, *Amr*, 9.7; compare his *Ḥisba*, 12.10.

⁵⁶ Ibn Taymiyya, *Amr*, 12.7, 15.5. In the first passage, he draws a contrast between the Muslim community and the Israelites: most of the *jihād* of the latter was devoted to expelling their enemies from their land, not to calling people to good or performing the duty of *al-amr bi'l-ma'rūf* (*ibid.*, 12.9). The completion (*itmām*) of the duty is by *jihād* (*ibid.*, 15.9).
⁵⁷ *Ibid.*, 15.5.

⁵⁸ *Ibid.*, 14.10, 15.3; similarly Ibn Taymiyya, *Ḥisba*, 12.15, 27.18, and Ibn Taymiyya,

is exempt from the scope of the duty.⁵⁹ It is to be performed in the three modes specified in the Prophetic tradition: with the hand, with the tongue and in (or with) the heart.⁶⁰ The emphasis is on civility (*riḥq*)⁶¹ – a respect in which Ibn Taymiyya was not noted for practising what he preached.⁶² One must possess the knowledge requisite to distinguish right (*ma'rūf*) from wrong (*munkar*).⁶³ The benefit (*maṣlaḥa*) secured by performing the duty must outweigh any undesirable consequences (*mafsada*)⁶⁴ – a consideration which rules out attempts to implement it through rebellion.⁶⁵ One must nevertheless be prepared to display endurance (*ṣabr*) in the face of adverse reactions.⁶⁶ The obligation also turns on one's having the power (*qudra*) to act.⁶⁷ All this is familiar enough, but it leaves a good many questions unanswered. What, for example, is the place of women in the performance of the duty?⁶⁸ I have not found a sustained discussion of forbidding wrong elsewhere in Ibn Taymiyya's works.⁶⁹

Majmū'at al-rasā'il wa'l-masā'il, ed. M. Rashīd Riḍā, Cairo 1341–9, 1:154.11. This is an issue that Abū Ya'lā and 'Abd al-Qādir al-Jīlī omit to discuss (see above, ch. 6, note 122).

⁵⁹ Ibn Taymiyya, *Amr*, 65.18.

⁶⁰ *Ibid.*, 18.2. The Prophetic tradition is quoted earlier (*ibid.*, 15.7). For this tradition, see above, ch. 3, section 1. ⁶¹ *Ibid.*, 17.5, 29.2.

⁶² Cf. Little, 'Did Ibn Taymiyya have a screw loose?', 109, quoting Dhahabī.

⁶³ Ibn Taymiyya, *Amr*, 28.12, 28.16. ⁶⁴ *Ibid.*, 17.9, 21.2.

⁶⁵ *Ibid.*, 20.3, 20.13. He contrasts this with the view of the Mu'tazila, who construe fighting against rulers as an integral part of the duty, and hence as one of their five principles (*ibid.*, 20.8; cf. below, ch. 9, 204, 224, 226). Ibn Ḥamdān likewise excludes performance of the duty against one's ruler other than verbally (*Nihāya*, f. 22b.3).

⁶⁶ Ibn Taymiyya, *Amr*, 29.6. Cf. also Ibn Taymiyya, *Majmū' fatāwā*, 28:180.1, and Ibn Muflīḥ, *Ādāb*, 1:176.16.

⁶⁷ Ibn Taymiyya, *Amr*, 23.5; also *ibid.*, 15.5. See too Ibn Taymiyya, *Ḥisba*, 12.14; Ibn Taymiyya, *Majmū' fatāwā*, 28:217.8, 219.11; Ibn Taymiyya, *Uḥūdīyya*, Damascus 1962, 1.6.4; but contrast the quotation in *Majmū'at al-rasā'il wa'l-masā'il al-Najdiyya*, 4:414.13.

⁶⁸ Ibn Taymiyya's contemporary Umm Zaynab (d. 714/1315) had a reputation for zeal in the execution of the duty, in the course of which she did things men could not do (cf. below, ch. 17, note 135); we know at least that Ibn Taymiyya had a high opinion of her, and of her scholarship (Ibn Kathīr, *Bidāya*, 14:72.19, cited in Laoust, 'Le hanbalisme sous les Mamlouks bahrides', 61).

⁶⁹ He does, of course, refer to it from time to time. For example, he gives the duty a brief sentence in one of his creeds (Ibn Taymiyya (d. 728/1328), *al-'Aqida al-Wasitiyya*, in his *Majmū'at al-rasā'il al-kubrā*, Cairo 1966, 1:410.13, re-edited and translated in H. Laoust, *La profession de foi d'Ibn Taymiyya*, Paris 1986, 26.5 = 84). In one place, he defines *ma'rūf* (and *munkar*?) in terms of what natural moral sense (*fiṭra*) accepts or rejects (*Naqd al-manṭiq*, ed. M. Ḥ. al-Fiḳī, Cairo n.d., 29.13; I owe this reference to Ilai Alon); in another, he defines them in terms of what is pleasing or displeasing to God (*Iqtidā' al-ṣirāṭ al-mustaḳim*, ed. M. Ḥ. al-Fiḳī, Cairo 1950, 19.18). He stresses the inseparability of *al-amr bi'l-ma'rūf* and *al-nahy 'an al-munkar* (*ibid.*, 297.12). His responsa attest his recognition of the claims of privacy (*Majmū' fatāwā*, 28:205.16, 217.11). He also discusses *hijra* as a mode of performance of the duty (*ibid.*, 211.5, 211.11). He has a couple of observations on doing it to *dhimmīs* (see Ibn Muflīḥ, *Ādāb*, 1:211.8, 297.5). And he refutes the simplistic view that there is no duty in matters over which the law-schools disagree (*masā'il al-khilāf*) by distinguishing such questions from those actually admitting of independent legal judgment (*masā'il al-ijtihād*) (see his *Bayān al-dalīl 'alā buṭlān al-taḥlīl*, ed. F. S. 'A. al-Muṭayrī, Damanhūr 1996, 210.4, 211.6; cf. above, ch. 6, note 151).

The interest of Ibn Taymiyya's rather haphazard treatment of the duty lies in two points. The first is that he displays a stronger, or at least a more vocal, tendency to utilitarianism than earlier Ḥanbalite authorities. Thus he speaks of 'the general rule' (*al-qā'ida al-āmma*) according to which, when both costs (*maḥāsib*) and benefits (*maṣāliḥ*) are associated with a given course of action, what matters is which is preponderant.⁷⁰ Shortly afterwards he discusses a situation in which good and evil form a single package, and the choice is between putting a stop to both, or allowing both to continue;⁷¹ the same rule applies. This utilitarianism is a well-attested feature of Ibn Taymiyya's thought.⁷² In his major work on politics, he tells us that in cases where costs and benefits have to be weighed, the proper course is to secure the greater benefit by sacrificing the lesser, and to avert the larger cost by accepting the smaller.⁷³ Likewise in his work on the office of censor (*ḥisba*), he stresses that one's duty is limited to taking the best course of action open to one; in real life, this will usually mean choosing the greater of two goods, or settling for the lesser of two evils.⁷⁴ None of this should be taken to imply the absolute sovereignty of utility. Indeed, Ibn Taymiyya's doctrine seems to have been less sweeping in this respect than was that of his contemporary and fellow-Ḥanbalite Najm al-Dīn al-Ṭūfī (d. 716/1316).⁷⁵ But the utilitarian idiom of costs and benefits, with its brushing aside of moral absolutes, is a strikingly pervasive feature of his political thought. Its bearing on the duty of forbidding wrong is nicely illustrated by a story told of his visit to the enemy camp during one of the

⁷⁰ Ibn Taymiyya, *Amr*, 20.13. ⁷¹ *Ibid.*, 21.10.

⁷² For a general sketch of his doctrine of *maṣlaḥa*, see Laoust, *Essai*, 245–50. To the extent that I understand the issues, his attitude towards the concept is significantly less restrictive than that of Ibn Qudāma (compare Ibn Qudāma (d. 620/1223), *Rawḍat al-nāzir*, Cairo 1378, 87.6, with Ibn Taymiyya, *Qā'ida fī 'l-mu'jizāt wa'l-karāmāt*, in his *Majmū'at al-rasā'il wa'l-masā'il*, 5:22.15, translated in Laoust, *Essai*, 246).

⁷³ Ibn Taymiyya, *Siyāsa*, 43.12. ⁷⁴ Ibn Taymiyya, *Ḥisba*, 14.14.

⁷⁵ I adopt the vocalisation 'Ṭūfī' (in contrast to Kerr's 'Ṭauḥī') on the authority of Ibn Hajar al-ʿAsqalānī (d. 852/1449), *al-Durar al-kāmina*, Hyderabad 1348–50, 2:154.6. Ṭūfī's doctrine of *maṣlaḥa* was analysed by Kerr (see M. H. Kerr, *Islamic reform: the political and legal theories of Muḥammad ʿAbdūh and Rashīd Riḍā*, Berkeley and Los Angeles 1966, 97–102). Ṭūfī holds that utility takes precedence even over the revealed texts (*ibid.*, 97); Ibn Taymiyya does not (Ibn Taymiyya, *Amr*, 21.7). Since Kerr wrote, however, a work by Ṭūfī with a further discussion of *maṣlaḥa* has been published, and here his radical doctrine does not seem to find expression (Najm al-Dīn al-Ṭūfī (d. 716/1316), *Sharḥ Mukhtaṣar al-Rawḍa*, ed. ʿA. ʿA. al-Turkī, Beirut 1987–9, 3:204–17). In his commentary on the 'three modes' tradition in Nawawī's *Arbaʿin* (cf. above, ch. 3, note 7), Ṭūfī applies a utilitarian perspective (the weighing of *maṣlaḥa* against *mafsada*) to the danger condition (*Sharḥ al-Arbaʿin ḥadīthan al-Nawawīyya*, ms. Princeton, Yahuda 3,004 (= R. Mach, *Catalogue of Arabic manuscripts (Yahuda Section) in the Garrett Collection, Princeton University Library*, Princeton 1977, 64 no. 712), f. 100b.4, 100b.17), and to the question whether one should seek the permission of the ruler to perform the duty (*ibid.*, f. 101a.5).

Mongol invasions of Syria. The Mongols, as usual, were drunk; but when one of his companions wanted to reprove them for their drinking habits, Ibn Taymiyya restrained him on the grounds that the Muslims stood to suffer more if the Mongols renounced their liquor.⁷⁶

The second point of interest in Ibn Taymiyya's discussion of forbidding wrong is that he seems to see the duty as one to be performed first and foremost (though not exclusively) by what the Koran calls 'those in authority' (*ulū 'l-amr*).⁷⁷ In one passage he states that the performance of the duty is obligatory for 'those in authority', whom he specifies as the scholars (*'ulamā'*), the political and military grandees (*umarā'*), and the elders (*mashāyikh*)⁷⁸ of every community (*ṭā'ifa*); it is their duty to carry out the duty vis-à-vis the common people subject to their authority (*'alā 'āmmat-ihim*).⁷⁹ In a subsequent passage he returns to the topic, enlarging on his original definition: 'those in authority' consist here of two groups (*ṣinf*), namely scholars (*'ulamā'*) and grandees (*umarā'*); they include kings (*mulūk*), elders (*mashāyikh*) and state functionaries (*ahl al-dīwān*) – but also anyone who has a following (*matbū'*).⁸⁰ Each of them should order and forbid what God has ordered and forbidden; each person subject to their authority should obey them in obedience to God, though not in disobedience to Him.⁸¹ This emphasis on the role of constituted authority in forbidding wrong is attested elsewhere in Ibn Taymiyya's works; indeed he considers it to be the purpose of all state power to carry out the duty.⁸² What is more, he provides a strikingly simple justification of this association of forbidding wrong with the authorities, and in particular with the state: successful performance of the duty is obviously and critically dependent on having the power (*qudra*) to execute it, and power is something of which those in authority naturally possess the lion's share.⁸³

⁷⁶ Ibn Qayyim al-Jawziyya (d. 751/1350), *I'lām al-muwaqqi'in*, Beirut 1973, 3:5.9; *Majmū'at al-rasā'il wa'l-masā'il al-Najdiyya*, 3:127.20; and see Ibn Taymiyya, *Istiḳāma*, 2:165.16. ⁷⁷ Q4:59 (quoted at Ibn Taymiyya, *Amr*, 68.1).

⁷⁸ Ibn Taymiyya also uses this term in a similar context in the same work (*ibid.*, 68.10), and in a parallel passage in his *Aḡīdat ahl al-sunna*, 59.18. He does not use it in his references to 'pouvoirs intermédiaires' in his *Siyāsa* (see 10.10, 82.4, 125.14). Nagel, translating the second passage of the *Amr*, renders the term 'die Lehrer . . . (der islamischen Gesetze und des Glaubens)' (*Staat und Glaubensgemeinschaft*, 2:123). But this reduces it to a synonym for *'ulamā'*, which it does not seem to be; the first passage of the *Amr* speaks of the *'ulamā'* *kull ṭā'ifa wa-umarā'ubā wa-mashāyikhuhā* (Ibn Taymiyya, *Amr*, 15.13).

⁷⁹ *Ibid.*, 15.13.

⁸⁰ *Ibid.*, 68.4. He also contrasts *ahl al-yad wa'l-qudra* with *ahl al-'ilm wa'l-kalām*.

⁸¹ *Ibid.*, 68.12.

⁸² Ibn Taymiyya, *Hisba*, 13.5; Ibn Taymiyya, *Siyāsa*, 65.9. He likewise considers that the authorities have more of a duty to display endurance and forbearance (*al-ṣabr wa'l-hilm*) in executing the duty than do their subjects (Ibn Taymiyya, *Majmū' fatāwā*, 28:180.10).

⁸³ Ibn Taymiyya, *Hisba*, 12.14; and cf. his *Siyāsa*, 139.3.

3. IBN TAYMIYYA'S POLITICS

What then is the link between Ibn Taymiyya's utilitarianism on the one hand, and his emphasis on the role of the authorities in performing the duty on the other?

We can best begin by returning to the utilitarian aspect of his political thought.⁸⁴ Political morality, for Ibn Taymiyya, consists in doing one's best. Anyone in a position of authority who does this in good faith has done his duty, and is not to be held responsible for what he lacks the power to achieve.⁸⁵ Thus in making an appointment to a public office, the ruler's duty is to appoint the best man available (*al-aṣlah al-mawjūd*); and provided that, in the absence of the right man for the job, he appoints the best man he can, he is a just ruler even if some undesirable consequences ensue.⁸⁶ In short, the ruler has a job to do, and he has nothing to be ashamed of provided he does it to the best of his abilities. More than that, all forms of political authority have the blessing of the holy law (*sharī'a*), and all public offices are religious offices (*manāṣib dīniyya*).⁸⁷ Even writing an official letter, or keeping official accounts, are exercises of religious authority.⁸⁸ In practice, of course, the abuse of such authority is commonplace – rulers treat their subjects unjustly. But then subjects do the same to their rulers.⁸⁹

What has disappeared in this brisk Islamic utilitarianism is the traditional Ḥanbalite queasiness over the exercise of political power. Back in the days of Ibn Ḥanbal, a certain Abū Muḥammad 'Abda was once asked whether it was possible for a man to enter the service of the state (*'amal al-sulṭān*) and not to get blood on his hands; the answer, endorsed by Ibn Ḥanbal, was negative.⁹⁰ Ibn Taymiyya's political thought conveys no such sense

⁸⁴ For a recent introduction to Ibn Taymiyya's political thought, see Nagel, *Staat und Glaubensgemeinschaft*, 2:107–40.

⁸⁵ Ibn Taymiyya, *Siyāsa*, 143.12; similarly his *Ḥisba*, 16.4. In setting out views of this kind, Ibn Taymiyya sometimes invokes Q64:16: 'So fear God as far as you are able' (*Siyāsa*, 15.3, 43.9, 138.2).

⁸⁶ *Ibid.*, 14.14. See also the subsequent discussion of the relative weight to be assigned to trustworthiness and competence when, as often happens, they are not to be had in the same man (*ibid.*, 16.16). Here we learn that Abū Bakr (r. 11–13/632–4) retained Khālid ibn al-Walid (d. 21/641f.) in his role of military leadership, despite his moral failings, because the benefits of doing so outweighed the costs (*li-rujḥān al-maṣlaḥa 'alā 'l-maṣḍa*) (*ibid.*, 18.6).

⁸⁷ Ibn Taymiyya, *Ḥisba*, 16.3; cf. also his *Siyāsa*, 139.18. This view disregards the traditional Sunnī doctrine of the imamate, which for Ibn Taymiyya has no contemporary relevance (see Laoust, *Essai*, 282f., 293f.).⁸⁸ Ibn Taymiyya, *Ḥisba*, 27.20.

⁸⁹ Ibn Taymiyya, *Siyāsa*, 38.5. Cf. also his *Majmū' fatāwā*, 28:180.13.

⁹⁰ Ibn Abī Ya'la, *Ṭabaqāt*, 1:132.23.

that power is inherently contaminated and contaminating. Nowhere, to my knowledge, does he directly confront an authoritative expression of this deeply felt revulsion.⁹¹ There is, however, a key passage in one of his works in which he seeks to characterise and criticise this revulsion without naming names.⁹² People, he tells us, fall into three groups with respect to their attitudes towards political power. The first group holds, in effect, that there can be no such thing as political morality; so it opts for politics without morality.⁹³ The second shares the premise, but opts for morality without politics.⁹⁴ The third group is, of course, the one that gets it right, avoiding the extreme positions of the other two by rejecting their shared premise.⁹⁵ The group that concerns us here is the second, moralistic group. Their moralism, he tells us, comes in two – very different – styles.⁹⁶ The first might be labelled quietist moralism. The quietist moralist, for all his uncompromising righteousness, is characterised by a certain timidity or meanness of spirit. This failing can lead him to neglect a duty the omission of which is worse than the commission of many prohibited acts; it can equally lead him to forbid the performance of a duty where this is tantamount to turning people aside from the way of God.⁹⁷ The second style can be labelled activist moralism. The activist moralist believes it to be his duty to take a stand against political injustice, and to do so by recourse to arms; thus he ends up fighting against Muslims in the manner of the Khārījites.⁹⁸ The distinction runs parallel to one that Ibn Taymiyya makes in his tract on forbidding wrong between those who fall short in the performance of the duty and those who go too far.⁹⁹ Now it cost Ibn Taymiyya nothing to take a firm stand against the Khārījites. But in condemning the quietist variety of moralism, he was dissociating himself from something perilously close to the attitude of the founder of his school.

⁹¹ One way he might have taken around the responsa of Ibn Ḥanbal is suggested by a remark he makes about them in another context: many of them refer implicitly to the circumstances of particular individuals, and their rulings can thus be applied only in fully comparable cases (Ibn Taymiyya, *Majmūʿ fatāwā*, 28:213.1).

⁹² Ibn Taymiyya, *Siyāsa*, 51f. The context is a discussion of gifts made by rulers for reasons of state.

⁹³ *Ibid.*, 51.3. (For *yaṭʿam* read *yufʿim*, as implied in Laoust's translation of the passage, see H. Laoust, *Le traité de droit public d'Ibn Taymiyya*, Beirut 1948, 55.) Cf. Ibn Taymiyya, *Siyāsa*, 143.4. ⁹⁴ *Ibid.*, 51.11; cf. *ibid.*, 143.3. ⁹⁵ *Ibid.*, 52.7.

⁹⁶ The distinction is lost in Laoust's translation (*Traité*, 55f.), as also in Nagel's paraphrase (*Staat und Glaubensgemeinschaft*, 2:134), since both overlook the parallelism between the two *rubbamās* (Ibn Taymiyya, *Siyāsa*, 51.13, 51.17). ⁹⁷ *Ibid.*, 51.13.

⁹⁸ *Ibid.*, 51.17.

⁹⁹ For this distinction between the *muḡaṣṣir* and the *muʿtadī*, see Ibn Taymiyya, *Amr*, 31.10, and cf. also *ibid.*, 18.12, 37.1, 64.13. Here again the Khārījites are mentioned (*ibid.*, 19.14, 64.15).

4. THE DAMASCENE ḤANBALITES AFTER IBN TAYMIYYA

The history of Damascene Ḥanbalism after the time of Ibn Taymiyya was long and in some ways distinguished, but it has relatively little to offer us. The intellectual drama is over: no subsequent Damascene Ḥanbalite was remotely comparable to Ibn Taymiyya in either authority or originality. At the same time the biographical record, though continuous, is thin and meagre in comparison to that of earlier centuries.¹⁰⁰

Throughout this period, the Ḥanbalites must have remained a minority in Damascus.¹⁰¹ Their relations with the state do not seem to have changed much in late Mamlūk times, though this period may have seen significant developments in the history of Syrian Ḥanbalism outside Damascus.¹⁰² But there were two critical shifts associated with Ottoman rule (922–1337/1516–1918). The first was the Ottoman conquest itself. This, from the Ḥanbalite point of view, was an untoward event:¹⁰³ the centre of power was now more remote, and the new Hanafī rulers were less catholic in their attitudes to the Sunnī law-schools. But the effects

¹⁰⁰ The period is covered by four main sources, all devoted to Ḥanbalite biography. The first is the work of the Palestinian Mujir al-Dīn al-ʿUlaymī (d. c. 928/1522); the relevant part (for the years 751–902/1350–1497) is *al-Manhaj al-aḥmad*, 5:91–322 nos. 1302–1654. The second is the work of the Damascene Ibn ʿAbd al-Hādī (d. 909/1503), *al-Jawhar al-munadḍad* (covering roughly the same period). The third is the work of the Damascene Shāfiʿite Kamāl al-Dīn al-Ghazzī (d. 1214/1799), *al-Naʿt al-akmal*; the relevant part is 52–340 (for the years 901–1207/1496–1792). For Ghazzī’s sources, see *ibid.*, 25; most of those he mentions are published, and none of them is specifically concerned with the Ḥanbalites. The fourth is the work of Jamīl al-Shaṭṭī (d. 1379/1959), *Mukhtaṣar Ṭabaqāt al-Ḥanābila*; the relevant part is 145–86 (for the period from Ghazzī’s time to his own). Also available is the work of Burhān al-Dīn ibn Muḥliḥ (d. 884/1479) (*al-Maqṣad al-arṣad fī dhikr aṣṣūb al-imām Aḥmad*, ed. ‘A. S. al-ʿUthaymīn, Riyāḍ 1990), but I have made less use of it. None of these works can compare in richness and variety with the classic biographical works of Ibn Abī Yaʿlā and Ibn Rajab, and the lack of an authentically Ḥanbalite biographical tradition covering the tenth to twelfth/sixteenth to eighteenth centuries is noteworthy.

¹⁰¹ The only indication I have noted of the demographic position relates to the village of Dūmā in the Ghūṭa of Damascus. Here Ghazzī remarks that it was a distinctive feature of this village that all its inhabitants were Ḥanbalites (Ghazzī, *Naʿt*, 228.15).

¹⁰² The period seems to have seen a rise of Ḥanbalite *qāḍīs*. ʿUlaymī, who mentions many of them in the towns of Syria, remarks in several cases that the *qāḍī* in question was the first (known) Ḥanbalite incumbent (for Baʿlabakk, see ʿUlaymī, *Manhaj*, 5:177.13 (no. 1447); for Ḥims, see *ibid.*, 208.9 (no. 1508); for Jerusalem, see *ibid.*, 232.12 (no. 1544); for Ramla, see *ibid.*, 263.7 (no. 1593); for Hebron, see *ibid.*, 263.16 (no. 1593); for the last three, see also his *al-Uns al-jatīl bi-taʾrīkh al-Quds waʾl-Khalīl*, Najaf 1968, 2:261.18, 263.2, 263.10). Does this reflect an increase in the numbers of Ḥanbalites in the population, or in the acceptability of the school to the authorities? A curiosity of Ḥanbalite history in this period is the appearance of a couple of Ḥanbalites with hare-brained ideas of a caliphal restoration (ʿUlaymī, *Manhaj*, 5:178.1 (*apud* no. 1447), 256.13 (no. 1585)).

¹⁰³ This was also Goldziher’s view (‘Zur Geschichte der ḥanbalitischen Bewegungen’, 28).

were hardly traumatic. A few Damascene Ḥanbalites continued to find their way into the patronage or employment of the central government,¹⁰⁴ though others still maintained their distance from the authorities.¹⁰⁵ And despite the fact that there was no longer a full Ḥanbalite judge in Damascus, the Ḥanbalite law-school continued to be recognised.¹⁰⁶ The second shift took place in the last decades of Ottoman rule, and marks the onset of modern times. As the reformed Ottoman state came to loom ever larger in Damascus, Ḥanbalites began to take advantage of the new educational and career opportunities that this opened up for them.¹⁰⁷ This process was to bring to an end the world of the Ḥanbalite scholars as we have known it in these chapters.

The duty of forbidding wrong played little part in this long history, though from time to time Ḥanbalite scholars still touched on it in passing, and a few even devoted separate works to it. In the generation after Ibn Taymiyya, his pupil Ibn Qayyim al-Jawziyya (d. 751/1350) referred to the duty from time to time, often repeating what his teacher had said already,¹⁰⁸ while Ibn ʿAbd al-Hādī (d. 744/1343) wrote a short work on

¹⁰⁴ See Ghazzī, *Naʿt*, 178.15, 327.8, and cf. 339.3 (the first is from Muhibbī (d. 1111/1699), *Khulāṣat al-athar*, Cairo 1284, 4:158.20). Voll's findings on this point are thus to be modified slightly (see J. Voll, 'The non-Wahhābī Ḥanbalis of eighteenth century Syria', *Der Islam*, 49 (1972), 278).

¹⁰⁵ See Ghazzī, *Naʿt*, 150.4, 297.3, 324.12. Shaykh ʿAbd al-Qādir al-Taghlibī (d. 1135/1723) went so far as to abstain from drinking the coffee served by the *qādī* of Damascus, and made his living from the work of his own hands as a book-binder (*ibid.*, 274.9, in a biography supplied by the editors; Murādī, *Silk al-durar*, 3:59.6).

¹⁰⁶ See M. A. Bakhit, *The Ottoman province of Damascus in the sixteenth century*, Beirut 1982, 119–22, and cf. 134; for the continuity of this system down to 1327/1909f., when the central government is described as decreeing the amalgamation of the *sharʿī* courts, see Ghazzī, *Naʿt*, 94.18, and Shaṭṭī, *Mukhtaṣar*, 81.2.

¹⁰⁷ Like his ancestors, Ḥasan al-Shaṭṭī (d. 1274/1858) made his living exclusively as a merchant, and was too scrupulous to involve himself in government (Shaṭṭī, *Mukhtaṣar*, 158.20). This is the last we hear of such attitudes. His son Muḥammad al-Shaṭṭī (d. 1307/1890) had a career in public office (*ibid.*, 168.8), and entertained 'reformist ideas' (*ārāʾ islāhiyya*, *ibid.*, 168.17, with particular reference to the idea of a railway from Damascus to Mecca). Muḥammad's son Murād al-Shaṭṭī (d. 1314/1897) in turn entered the civil service after a modern Ottoman schooling (*ibid.*, 172.9), and numbered 'patriotic enthusiasm' (*ḥamiyya waṭaniyya*) among his virtues (*ibid.*, 173.20). For further examples, see *ibid.*, 177.18, 178.1, 179.25. By this point our author has begun to speak of 'our Arab government' (*ḥukūmatunā al-ʿArabiyya*, *ibid.*, 178.6, 186.2; the work was published within a year of the expulsion of Fayṣal from Damascus by the French). For a sketch of the history of the family and its genealogy, see L. Schatkowski Schilcher, *Families in politics: Damascene factions and estates of the 18th and 19th centuries*, Stuttgart 1985, 177–9.

¹⁰⁸ The passage on the duty in his book on statecraft (Ibn Qayyim al-Jawziyya (d. 751/1350), *al-Ṭuruq al-ḥukmiyya fī ʿl-siyāsa al-sharʿiyya*, ed. M. H. al-Fiqrī, Cairo 1953, 237.18–238.3) is taken more or less verbatim from his teacher (Ibn Taymiyya, *Ḥisba*, 12.10–13.6). He likewise borrows from his teacher a critique of the view that *inkār* is not appropriate in matters on which the law-schools disagree (*masāʾil al-khilāf*) (*Iʿlām*, 3:288.2; cf. above, note 69). He argues at greater length than Ibn Taymiyya the position

forbidding wrong which seems to be lost.¹⁰⁹ Ibn al-Qayyim's pupil Ibn Rajab (d. 795/1393) also touched on the duty; thus he stressed the desirability of reproving offenders in private.¹¹⁰ In the next century, Zayn al-Dīn al-Šālīhī (d. 856/1452) compiled a massive treatise on forbidding wrong to which we will turn in a moment. Two centuries later, the well-known Egyptian Ḥanbalite Mar'ī ibn Yūsuf (d. 1033/1623f.) wrote a further monograph on the subject, but this does not seem to survive.¹¹¹ A later scholar of the same century, the Damascene Ibn Faqīh Fiṣṣa (d. 1071/1661), left a brief account of the duty.¹¹² A century later the Palestinian Shams al-Dīn al-Saffārīnī (d. 1188/1774f.) gave a short summary of it in a versified creed, and expanded on this in his own commentary thereto; he also wrote on the topic at greater length in a commentary on a versified work by an earlier author.¹¹³ What he had to say in all this is not, however, of any great interest. Finally the Damascene Muḥammad al-Shaṭṭī (d. 1307/1890) gave a couple of pages of a pamphlet to a discussion of the duty, but without contributing anything of consequence.¹¹⁴ Doubtless many more such passages could be found in the

Footnote 108 (*cont.*)

that *ma'rūf* and *munkar* are to be defined in terms of natural moral sense (see above, note 69), explicitly refuting the view that they are by definition no more than what God has commanded or forbidden (Ibn Qayyim al-Jawziyya (d. 751/1350), *Miftāḥ dār al-sa'āda*, ed. M. Ḥ. Rabī', Cairo 1939, 332.15). He also uses *inkār al-munkar* as a prime example of the way in which a legal obligation may be overridden by circumstances: where proceeding would bring about a worse evil (as with rebellion against unjust rule), it is not allowed (*I'lām*, 3:4.4). There are doubtless further references to *al-amr bi'l-ma'rūf* elsewhere in his works.

¹⁰⁹ Ibn Rajab, *Dhayl*, ed. Fiqī, 2:439.4. The work is described as a single *juz'*.

¹¹⁰ Ibn Rajab (d. 795/1393), *al-Farq bayn al-naṣiḥa wa'l-ta'yir*, ed. N. A. Khalaf, Cairo n.d., 39.5. His discussion of the duty in his *Jāmi' al-'ulūm wa'l-ḥikam* (see above, ch. 3, note 7) offers nothing of interest for views held in his own day.

¹¹¹ Ghazzī, *Na't*, 193.12, from Muḥibbī, *Khulāṣa*, 4:360.2.

¹¹² 'Abd al-Bāqī al-Mawāhibī, known as Ibn Faqīh Fiṣṣa (d. 1071/1661), *al-'Ayn wa'l-atḥar*, ed. 'I. R. Qal'ajī, Damascus 1987, 48–50. He takes the unusual view that *al-amr bi'l-ma'rūf* is a collective duty for the collectivity, and an individual one for the individual (*ibid.*, 48.6).

¹¹³ For the creed, see Saffārīnī (d. 1188/1774f.), *al-Durra al-muḍiyya*, in his *Lawāmi' al-anwār al-bahiyya*, Jeddā 1380, 2:426.21, 430.5; for his commentary on it, see *ibid.*, 2:426–36. This work was epitomised by Ḥasan al-Shaṭṭī (d. 1274/1858) (see his *Mukhtaṣar Lawāmi' al-anwār al-bahiyya*, Damascus 1931, 193–6). Saffārīnī's *Ghīdhā' al-albāb* is a commentary on the *Manẓūmat al-ādāb* of Muḥammad ibn 'Abd al-Qawī al-Mardāwī (d. 699/1299) (see *ibid.*, 1:6.2, and Brockelmann, *Geschichte*, supplementary volumes, 1:459 no. 20). The long account of forbidding wrong and related topics which Saffārīnī gives here (*Ghīdhā'*, 1:163–205) is largely a patchwork of quotations (for one of them, see above, ch. 6, note 109). It comes alive when he includes personal reminiscences: a story about a Christian convert to Islam who married his daughter to a Christian around 1142/1729 (*ibid.*, 184.17), and a reference to his reactions on perusing some Druze literature (*ibid.*, 194.20). For Saffārīnī's biography, cf. below, note 125.

¹¹⁴ Muḥammad al-Shaṭṭī (d. 1307/1890), *Muqaddimat Tarfiq al-mawādd al-niẓāmiyya li-ahkām al-sharī'a al-Muḥammadiyya*, Cairo n.d., 10.9. This author is an incipiently modern figure (see above, note 107).

Ḥanbalite literature of these centuries; but of the three monographic treatments, it seems that only that of Ṣāliḥī is extant.

Zayn al-Dīn al-Ṣāliḥī was a cheerful and socially successful Damascene scholar; he was also a Qādirī Ṣūfī, and this aspect of his activities bulks large in his biography.¹¹⁵ He wrote his work on forbidding wrong in two large volumes,¹¹⁶ both of which have now been published in some fashion.¹¹⁷

¹¹⁵ For the biography of Zayn al-Dīn ‘Abd al-Raḥmān ibn Abī Bakr ibn Dāwūd al-Ṣāliḥī, see Ibn Muḥliḥ, *Maqṣad*, 2:84f. no. 571; Sakhāwī (d. 902/1497), *al-Ḍaw’ al-lāmi’*, Cairo 1353–5, 4:62f. no. 195; Ibn ‘Abd al-Hādī, *Jawhar*, 63 no. 68; Nu‘aymī (d. 927/1521), *al-Dāris fī ta’rīkh al-madāris*, ed. J. al-Ḥasanī, Damascus 1948–51, 2:202f. no. 616; ‘Ulaymī, *Manhaj*, 5:240f. no. 1556. His father was a Ṣūfī saint and author of some note (Sakhāwī, *Ḍaw’*, 11:31 no. 83; Brockelmann, *Geschichte*, supplementary volumes, 2:149 no. 10, and second edition, 2:146 no. 10). It is characteristic that when Ṣāliḥī cites ‘Abd al-Qādir al-Jīlī (d. 561/1166) in his work, he does so in a style that emphasises his Ṣūfī allegiance to him (*shaykh mashāyikhinā ‘Abd al-Qādir al-Kaylānī qaddasa ‘llāhu rūḥahu* and the like, *Kanz*, 112.14, 183.6, 199.19, 225.5).

¹¹⁶ For the two volumes, see Sakhāwī, *Ḍaw’*, 4:63.8 (and cf. Ibn ‘Abd al-Hādī, *Jawhar*, 63.8, and the editor’s note thereto).

¹¹⁷ The first volume was published by M. ‘U. Ṣumayda in Beirut in 1996 (this publication was drawn to my attention by Frank Stewart). The editor does not seem to have realised that he had only the first volume of the work, though this is apparent from a comparison of the four chapters (*abwāb*) that it contains with the ten announced by Ṣāliḥī (*Kanz*, 33.3 = 27.7 of Ṣumayda’s edition). On the title-page, Ṣumayda gives the title as *al-Kanz al-akbar min . . .*, despite the fact that Ṣāliḥī himself states that he is naming his book *al-Kanz al-akbar fī ‘l-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar* (*ibid.*). Ṣumayda bases his edition on a Dublin manuscript which he identifies as Chester Beatty no. 3,732 (see *Kanz*, 7 no. 9 of his introduction); it is clear from the reproductions he gives of the first and last folios of his manuscript (*ibid.*, 9–12) that it is in fact no. 3,270 (for which see A. J. Arberry, *The Chester Beatty Library: a handlist of the Arabic manuscripts*, Dublin 1955–66, 2:8; this manuscript was drawn to my attention by Maribel Fierro prior to the appearance of Ṣumayda’s edition, and I am grateful to the Chester Beatty Library for supplying me with a microfilm). A printing containing both volumes of the work appeared in Saudi Arabia in 1997, a year after Ṣumayda’s edition. Whereas Ṣumayda’s edition is a bad one, this is not really an edition at all. It is nevertheless the text that I cite when I give no indication to the contrary. According to the anonymous preface, it is based on these manuscripts (*Kanz*, 7): Chester Beatty no. 327 (read 3,270), and Cairo, Dār al-Kutub, Akhlāq 921, for the first volume; Berlin no. 167 (understand Landberg 167, see below), and Cairo, Dār al-Kutub, Akhlāq 287, for the second volume. The manuscripts on which I have relied in my own study of the work are the following. For the first volume, I used ms. Istanbul, Süleymaniye, Fatih 1,136 (185 folios), copied in Muḥarram 853/1449 (f. 185a.19) – that is to say, within the author’s lifetime. Where I have occasion to cite this manuscript, I do so according to the newer and more correct of the two foliations. For the second volume, I used Berlin, Landberg 167 (171 folios); I am indebted to the Staatsbibliothek zu Berlin for sending me a microfilm. For this manuscript, which contains the last six of the ten chapters, see Ahlwardt, *Verzeichnis*, 5:10f. no. 5,397. Ahlwardt states that the date of copying is given by a later hand as 826/1422f.; but there is no mention of copying, and what the ‘later’ hand of the collator has in fact supplied is the omitted completion of the sentence beginning *intabā ‘l-ta’līf* (f. 171b.10, reproduced in *Kanz*, 15; cf. the end of the Cairo manuscript of the second volume reproduced *ibid.*, 12, and *ibid.*, 881.10, where *min al-sinīn* is to be read for the printer’s *min al-sab‘īn*). This, then, is the date of composition of the work. This manuscript was overlooked by Brockelmann, and I learnt of it only when Adam Sabra kindly brought me a printout of it from a microfilm in Cairo. He also informed me that there are copies of the work in the Dār al-Kutub, which can be identified with those mentioned in the Sa‘ūdī printing of the work (Taṣawwuf 921 and Akhlāq Taymūr 287; for the first, see Dār al-Kutub al-Miṣriyya,

Although Ṣāliḥī is not shy of speaking in his own voice, he is above all an assiduous compiler. He makes particularly extensive use of Ghazzālī, whom he doubtless regarded as a fellow-Ṣūfī – he explicitly quotes him some fifty-five times in his first volume and seventeen in the second;¹¹⁸ and he depends on him for the bone-structure of his major doctrinal chapter.¹¹⁹ He does, nevertheless, provide a substantial treatment of an idea that I have rarely seen elsewhere, and which strongly reflects his Ṣūfī concerns. When he introduces Ghazzālī's eight levels of response to wrong, he prefixes yet another: response through spiritual state (*inkār al-munkar bi'l-ḥāl*).¹²⁰ What he intends is most easily understood from the anecdotes that follow, in which Ṣūfī saints – including 'Abd al-Qādir al-Jīlī – are able to right wrongs by invoking supernatural intervention; for example, they turn wine into honey, vinegar or water.¹²¹ This is one of the rare examples of a distinctively Ṣūfī approach to forbidding wrong.

Footnote 117 (*cont.*)

Fihrist al-kutub al-'Arabiyya al-mawjūda bi'l-Dār li-ghāyat sanat 1921, vol. 1, Cairo 1924, 349a); cf. the Cairo manuscript noted by Brockelmann (*Geschichte*, second edition, 2:124 no. 2, with errors in the author's name and death date); that mentioned without further details by Ṣumayda in his introduction (*Kanz*, 7 no. 1); and the likewise unidentified Cairo manuscript used by 'Aṭā in his edition of Khallāl's work (see Khallāl, *Amr*, 72f., 84 nn. 1f., 89 n. 1, 94 n. 1, 198 no. 36). I should add that Ṣāliḥī's work seems to have engendered two bibliographical muddles. The first regards the title of a short tract by the Shāfi'ite Abū Bakr ibn Qāḍī 'Aljūn (d. 928/1522) preserved under the same title (viz. *al-Kanz al-akbar fī 'l-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*) in a Damascus manuscript (Zāhiriyya, Majmū' no. 3,745 'āmm = Majāmi' 8, item 7; see Brockelmann, *Geschichte*, supplementary volumes, 2:119 no. 2, and Sawwās, *Fihris*, 40 no. 7). However this title, which appears only on a title-page preceding the text (f. 98a), bears no relation to the content of the tract itself, which is about an alleged tomb of a member of the family of the Prophet in Damascus. I am grateful to the Maktabat al-Asad for supplying me with a copy. The second muddle – or such I suspect it to be – is the ascription by Ḥājī Khalīfa (d. 1067/1657) of a work on forbidding wrong to another Ṣūfī of the time, namely 'Abd al-Laṭīf ibn 'Abd al-Raḥmān al-Maqdisī (also d. 856/1452), who, he says, completed it in Rabī' I, 853/1449 (*Kashf al-ẓunūn*, ed. Ṣ. Yaltkaya and R. Bilge, Istanbul 1941–3, 1398.20; for this scholar, see Brockelmann, *Geschichte*, second edition, 2:299f. no. 4, where the death date is from Tāshköprizāde (d. 968/1561), *al-Shaqā'iq al-Nu'māniyya*, ed. A. S. Furat, Istanbul 1985, 69.1; also Sakhāwī, *Ḍaw'*, 4:327f. no. 901). This looks like a misattribution of a volume of Ṣāliḥī's *Kanz*, perhaps of the copy of the second volume which originally accompanied the Istanbul manuscript of the first.

¹¹⁸ His first quotation is, appropriately, the rhetorical passage with which Ghazzālī opens his discussion of *al-amr bi'l-ma'rūf* (Ṣāliḥī, *Kanz*, 31.3; cf. below, ch. 16, 428). My count leaves out cases where material deriving from Ghazzālī is appropriated without attribution, or attributed to intermediate sources.

¹¹⁹ This is Ṣāliḥī's second chapter (*ibid.*, 183–273); for the corresponding part of Ghazzālī's treatment, see below, ch. 16, 428–42. It is striking that Ṣāliḥī expresses no reservations about Ghazzālī's more radical notions; in particular, he transcribes Ghazzālī's eighth level (armed bands) without visible shock (*ibid.*, 270.2; cf. below, ch. 16, 441). In his second volume, he appropriates, embellishes and extends Ghazzālī's survey of common wrongs (*ibid.*, 720–58; cf. below, ch. 16, 442–6).

¹²⁰ Ṣāliḥī, *Kanz*, 236.24; on this idea, see further below, ch. 16, 462–4. For Ghazzālī's eight levels, see below, ch. 16, 438–41. ¹²¹ *Ibid.*, 237.5–240.5.

Apart from this, what Ṣāliḥī has to offer us is bits and pieces.¹²² One of the more interesting is his negative view of the saying that sets out the tripartite division of labour between rulers, scholars and the common people.¹²³

Meanwhile the biographers make occasional reference to scholars who were assiduous in forbidding wrong, among them Ṣāliḥī himself.¹²⁴ But such statements tend to be perfunctory, and they become increasingly rare. For the study of forbidding wrong, there seems to be little more to be learnt from the Ḥanbalite communities of the Fertile Crescent.¹²⁵

5. CONCLUSION

Until the rise of the Wahhābī movement in Najd, Ḥanbalite history was essentially a tale of two cities. But as we have seen, the circumstances of the Ḥanbalite communities of the two cities were strikingly different.

¹²² Thus he includes a behavioural component – frowning – in the performance of the duty by or in the heart (*ibid.*, 76.18). He deals with reports that the Ḥashwiyya deny the obligatoriness of *al-amr bi'l-ma'rūf* (see below, ch. 9, notes 40, 63) by identifying the Ḥashwiyya as a subset (*firqa*) of the Rāfiḍa (*ibid.*, 121.9; cf. below, ch. 9, note 63); interpreted in this way, such reports need occasion no embarrassment to Ḥanbalites.

¹²³ After quoting the saying anonymously, he remarks that it is a weak view (*qawl ḍa'if*) (*ibid.*, 269.23). He himself sets out a mild version of the same idea (*ibid.*, 75.23, but note the caveat that follows, *ibid.*, 76.16). For the saying, see above, ch. 6, note 166.

¹²⁴ For (1) Ṣāliḥī, see Sakhāwī, *Daw'*, 4:63.5. The other cases I have noted are: (2) Jamāl al-Dīn al-Maqdisī (d. 754/1353) (Ibn Ḥajar, *Durar*, 4:464.3 (no. 1268); Ibn Muflīḥ, *Maqṣad*, 3:141.7 (no. 1270); 'Ulaymī, *Manhaj*, 5:100.1 (no. 1308)); (3) Shihāb al-Dīn al-Zurī (d. 762/1360), a pupil of Ibn Taymiyya (Ibn Muflīḥ, *Maqṣad*, 1:198.12 (no. 176), and 'Ulaymī, *Manhaj*, 5:117.4 (no. 1338), with stress on his forwardness towards rulers); (4) Ya'qūb al-Kurdī of Ba'labakk (d. 813/1411) (Ibn 'Abd al-Hādī, *Jawhar*, 183.3 (no. 209)); (5) 'Umar al-Lu'lu'ī (d. 873/1468), a great admirer of Ibn Taymiyya (*ibid.*, 106.3 (no. 117)). To these might be added (6) Ibn al-Ḥabbāl (d. 833/1429), who agreed to accept appointment as Ḥanbalite *qāḍī* of Damascus only on various conditions, one of which was that he would take action against abominations (*yunkir al-munkar*) whoever the perpetrator might be (Nu'aymī, *Dāris*, 2:54.1); 'Ulaymī tells us that he was very severe with Turks and such (*Manhaj*, 5:212.5 (no. 1516)). Otherwise I have noted no Damascene performers of the duty in the works of 'Ulaymī, Ibn 'Abd al-Hādī, Ghazzī or Shaṭṭī.

¹²⁵ One of the most interesting of the lesser-known Ḥanbalite scenes of the Fertile Crescent is the rural Ḥanbalism of northern Palestine (the term *arḍ Filasṭīn* is used by 'Ulaymī, see *Manhaj*, 5:269.8 (no. 1593)). The existence of Ḥanbalite scholars living in the villages around Nāblus (and not simply stemming from them) is well attested in the sixth/twelfth century (see Drory, 'Ḥanbalīs of the Nablus region', 95–7, and D. Talmon Heller, 'The shaykh and the community: popular Ḥanbalite Islam in 12th–13th century Jabal Nablus and Jabal Qasyūn', *Studia Islamica*, 79 (1994)), and again in the twelfth and thirteenth/eighteenth and nineteenth centuries (see Ghazzī, *Nā'ṭ*, 295.13, 302.4; Shaṭṭī, *Mukhtaṣar Taḥqāt al-Ḥanābila*, 171.9, 178.23). Ghazzī notes two Palestinian Ḥanbalites of the twelfth/eighteenth century as performers of *al-amr bi'l-ma'rūf*: 'Abd al-Haqq al-Labadī (d. 1176/1762f.) (Ghazzī, *Nā'ṭ*, 296.1) and Shams al-Dīn al-Saffārīnī (d. 1188/1774f.) (*ibid.*, 302.11; cf. *ibid.*, 303.17, and Murādī, *Silk al-durar*, 4:32.6). The latter is described with a vividness unusual in these sources.

In Baghdad, the Ḥanbalites made up a large part of the population, and were thus a potentially significant political constituency. As such, they could be mobilised either for or against the state. These alternatives of confrontation and cooperation are dramatised in the styles of the two charismatic Ḥanbalite preachers: on the one hand, there is the demagoguery and trouble-making of Barbahārī; and on the other, the theatricality and flattery of Ibn al-Jawzī. These poles, and the evolution from the one to the other, constitute a phase of Ḥanbalite history which was markedly out of tune with the original heritage of Ḥanbalism.

In Damascus, by contrast, the Ḥanbalites were only a minority; their relative scholastic distinction could never win them political weight as a community. But they lived in an increasingly benign political environment, and one in which a certain solidarity with the state was engendered by the exigencies of holy war against infidel invaders. Thus their minority status did not issue in a return to the quietly alienated politics of Ibn Ḥanbal. As in Baghdad, though not to the same extent, the community came to enjoy a positive relationship with the state. Thus in neither city did Ḥanbalite thought develop in a context similar to that in which it had originated.

In both cities, then, there was a tension between the heritage of the Ḥanbalite school and the actual circumstances of the community. Such a disparity called for some intellectual attention, if not resolution. Yet in Baghdad, Ḥanbalite discussions of forbidding wrong give only occasional and quite unsystematic expression to the tension. In Damascus, by contrast, Ibn Taymiyya succeeded in developing a style of political thought which was radically innovative, both in its implications for forbidding wrong and in general. It was not a style that had much future in the Ḥanbalite community of Damascus itself; for while Ibn Taymiyya was on the side of the state, the converse did not obtain. But his approach was to achieve a quite unexpected relevance to the political life of central Arabia some half a millennium later.

CHAPTER 8

THE ḤANBALITES OF NAJD

1. INTRODUCTION

We come now to the second, and more radical, of the two major geographical discontinuities of Ḥanbalite history. The scene shifts away from the great cities of the Fertile Crescent altogether; in their place we now encounter the scattered oases of the wilderness of Najd. The Ḥanbalite school seems to have been well established in this desolate region of Arabia as early as the ninth/fifteenth century.¹ Its situation here was naturally very different from what it was in the Fertile Crescent. Najdī Ḥanbalism had to come to terms with a tribal society that could barely be described as urban, and which lacked political organisation above the level of the local chief who held sway over a single oasis.² A further peculiarity of the position of the Ḥanbalite school in Najd was that it was not in serious competition with other sects or schools. For the first time in its history, Ḥanbalism had a society to itself. This is no doubt part of the reason why two-thirds of the pre-Wahhābī Najdī Ḥanbalite scholars known to us in the tenth to twelfth/sixteenth to eighteenth centuries were judges; who else could have filled these positions?³ It would be interesting to know how this exotic

¹ For a useful survey of the Ḥanbalite biographical literature for Najd in the tenth to twelfth/sixteenth to eighteenth centuries, see U. M. Al-Juhany, 'The history of Najd prior to the Wahhābīs', University of Washington Ph.D. 1983, ch. 5. For some Syrian evidence of Najdī Ḥanbalism in the ninth/fifteenth century, see Ibn 'Abd al-Hādī, *Janḥar*, 15 nos. 12f.; 40 no. 46; 112 nos. 128f. (and cf. 34f. of the introduction); M. Cook, 'The historians of pre-Wahhābī Najd', *Studia Islamica*, 76 (1992), 173 n. 40. Note also that the Syrian Ḥanbalite Dāwūd ibn Aḥmad (or Muḥammad) al-Balā'ī (d. c. 862/1457), though born in Ḥamāh, was of Najdī extraction ('Ulaymī, *Maḡṣad*, 5:250f. no. 1572; Ibn al-'Imād (d.1089/1679), *Shadharāt al-dhahab*, ed. 'A. and M. al-Arnā'ūt, Beirut 1986-93, 9:441.15).

² See Juhany, 'History of Najd', 175-82, 272-80. I am sceptical of Juhany's thesis of even a limited 'development of regional political powers' in late pre-Wahhābī Najd (*ibid.*, 275-9); cf. M. Cook, 'The expansion of the first Saudi state: the case of Washm', in C. E. Bosworth *et al.* (eds.), *Essays in honor of Bernard Lewis: the Islamic world from classical to modern times*, Princeton 1989, 667. ³ Juhany, 'History of Najd', 252.

environment affected the practice of forbidding wrong. But we hear virtually nothing about it,⁴ a circumstance which may reflect no more than the general paucity of information for the pre-Wahhābī period of Najdī history.

In 1158/1745f. an alliance was made which was to transform both the political structure of Najdī society and the relationship of Ḥanbalism to political authority within it. One of the parties to this alliance was a Ḥanbalite scholar, Muḥammad ibn ‘Abd al-Wahhāb (d. 1206/1792), who had come to the view that the religious practices of most so-called Muslims of his day were in reality polytheism (*shirk*), and as such an appropriate target for holy war. The other party was Muḥammad ibn Sa‘ūd (d. 1179/1765), the chief of Dir‘iyya, one of the larger Najdī oases. The outcome of this alliance was the rise of the militant Wahhābī movement, in symbiosis with what we can now begin to call the Sa‘ūdī state.⁵ The transformation of the role of Ḥanbalism which this implied was far more drastic than any the tradition had undergone in Baghdad or Damascus. Ḥanbalism was now cast in the unfamiliar role of a doctrine of state-formation in a near-stateless tribal society, and in this role it functioned as the political ideology of three successive Sa‘ūdī states. What, then, was the place of forbidding wrong in this ideology?

2. THE FIRST SA‘ŪDĪ STATE

The Wahhābī movement was a classic example of going to see what people were doing and telling them to stop it. We might therefore expect forbidding wrong to be central to Wahhābī thought and action from the start. And if we accept the testimony of Ibn Bishr (d. 1290/1873), one of our two major sources for the history of the first Sa‘ūdī state (1158–1233/1745f.–1818), this was indeed the case.

Before the appearance of Ibn ‘Abd al-Wahhāb, so Ibn Bishr tells us, manifestations of polytheism were rife in Najd, but there was no one to perform the duty against them.⁶ On his father’s death in 1153/1741, Ibn

⁴ An epistle of ‘Abd al-Wahhāb ibn Sulaymān (d. 1153/1741), the father of the reformer, denounces the activities of certain Qādirīs in Ḥarma, and calls for action (*inkār*) to be taken against them with the hand and tongue (*Majmū‘at al-rasā’il wa’l-masā’il al-Najdiyya*, 1:525.7; for the rest of this chapter, the title of this work is abbreviated ‘*Majmū‘a*’). I saw no references to forbidding wrong in the Najdī biographies included in Ibn Ḥumayd (d. 1295/1878), *al-Suḥub al-wābila ‘alā ḍarā’ih al-Ḥanābila*, n.p. 1989.

⁵ This development is chronicled in H. S. Philby, *Sa‘udi Arabia*, London 1955, ch. 2, and in other works cited in Cook, ‘Expansion of the first Saudi state’, 683 n. 32.

⁶ Ibn Bishr (d. 1290/1873), ‘*Unwān al-majd fī ta’rīkh Najd*, Beirut n.d., 17.6 (*laysa lil-nās man yanḥāhum ‘an dhālika fa-yaṣḍa‘ bi’l-amr bi’l-ma‘rūf wa’l-nahy ‘an al-munkar*). For an

‘Abd al-Wahhāb set about doing just that in the oasis of Ḥuraymilā,⁷ in particular, he wished to carry out the duty against a servile group in the oasis who were notorious evil-doers.⁸ When he moved to ‘Uyayna, ‘Uthmān ibn Mu‘ammar (d. 1163/1750), the local chief, assisted him, and the duty was publicly performed.⁹ As the fortunes of Ibn ‘Abd al-Wahhāb began to rise, monotheism and forbidding wrong began to spread.¹⁰ Subsequently, however, Ibn Mu‘ammar lost his nerve in the face of external pressure; Ibn ‘Abd al-Wahhāb then called upon him to persevere in his adherence to the cause of monotheism, the pillars of Islam and forbidding wrong.¹¹ When Ibn Mu‘ammar nevertheless defected, Ibn ‘Abd al-Wahhāb moved to Dir‘iyya, an oasis awash with polytheism, and made his historic alliance with Ibn Sa‘ūd. Once there, he performed the duty assiduously, and commanded the people of the oasis to study the meaning of the confession of faith ‘There is no god but God’.¹² When the well-known Yemeni traditionalist Ibn al-Amīr al-Ṣan‘ānī (d. 1182/1768) heard of Ibn ‘Abd al-Wahhāb’s message of monotheism and forbidding wrong, he wrote a poem in his praise.¹³ Likewise in his obituary notice on Ibn ‘Abd al-Wahhāb, Ibn Bishr remarks that he had treated the people of Najd justly, commanding right and forbidding wrong.¹⁴ Here, then, we have an account of the career of Ibn ‘Abd al-Wahhāb in which the duty plays a central part.¹⁵

analysis of the general character of Ibn Bishr’s account of the career of Ibn ‘Abd al-Wahhāb, see E. Peskes, *Muḥammad b. ‘Abdalwahhāb (1703–92) im Widerstreit*, Beirut 1993, 252–78.

⁷ Ibn Bishr, *Unwān*, 19.1: *a‘lana bi’l-da‘wa wa’l-inkār wa’l-amr bi’l-ma‘rūf wa’l-nahy ‘an al-munkar*. ⁸ *Ibid.*, 19.4. ⁹ *Ibid.*, 19.11.

¹⁰ *Ibid.*, 20.9: *wa fashā ‘l-tawḥīd wa’l-amr bi’l-ma‘rūf wa’l-nahy ‘an al-munkar*.

¹¹ *Ibid.*, 20.19. ¹² *Ibid.*, 23.26.

¹³ *Ibid.*, 50.8. Ibn al-Amīr did indeed see Ibn ‘Abd al-Wahhāb’s mission in terms of *al-amr bi’l-ma‘rūf* (see the quotation from his *Dīwān* in Ḥ. al-Jāsir, ‘al-Ṣilāt bayn Ṣan‘ā’ wa’l-Dir‘iyya’, *al-‘Arab*, 22 (1987), 433). Compare the anti-Wahhābī polemist Ibn ‘Afāliq al-Aḥsā‘ī, who in an epistle written not later than 1163/1750 speaks of the Wahhābīs carrying out their activities in the guise of (*fī ṣūrat*) *al-amr bi’l-ma‘rūf* (epistle of Muḥammad ibn ‘Abd al-Raḥmān ibn ‘Afāliq al-Aḥsā‘ī to ‘Uthmān ibn Mu‘ammar, ms. Berlin, Pm. 25, f. 56b.5). For this text, see Ahlwardt, *Verzeichniss*, 2:477 no. 2, 158, and Peskes, *Muḥammad b. ‘Abdalwahhāb*, 57; I am indebted to the Staatsbibliothek Preussischer Kulturbesitz for supplying me with a microfilm. The epistle can be dated not later than 1163/1750, since in that year Ibn Mu‘ammar was assassinated (Ibn Ghannām (d. 1225/1810f.), *Rawḍat al-aḥkār*, Bombay 1337, 2:16.7; Ibn Bishr, *Unwān*, 30.5); Ibn ‘Afāliq himself died in the same or the following year, the best-supported date being early in 1163/1750 (‘Abdallāh ibn ‘Abd al-Raḥmān ibn Ṣāliḥ al-Bassām, *Ulamā’ Najd khilāl sittat qurūn*, Mecca 1398, 821.5). Ibn ‘Abd al-Wahhāb refers to an epistle of Ibn ‘Afāliq in one of his own (Ibn Ghannām, *Rawḍa*, 1:135.16). ¹⁴ Ibn Bishr, *Unwān*, 84.20; and cf. *ibid.*, 83.24.

¹⁵ Ibn Bishr’s contemporary ‘Abd al-Laṭīf ibn ‘Abd al-Raḥmān (d. 1293/1876) likewise stresses Ibn ‘Abd al-Wahhāb’s devotion to the duty (*Majmū‘a*, 3:372.12). For ‘Abd al-Laṭīf, see below, note 62.

Ibn Bishr then proceeds to chronicle the rest of the history of the first Saʿūdī state in the same vein. He describes successive Saʿūdī rulers as performers of the duty,¹⁶ and says the same of Ibn ʿAbd al-Wahhāb’s grandson Sulaymān ibn ʿAbdallāh (d. 1233/1818), whom he characterises as no respecter of persons in this connection.¹⁷ He enters into some detail regarding the way in which forbidding wrong was carried out in the course of the pilgrimages to Mecca led by Saʿūd ibn ʿAbd al-ʿAzīz (r. 1218–29/1803–14) in the years 1223/1809, 1225/1811, 1226/1811 and 1227/1812.¹⁸ Men were appointed to patrol the markets at the times of prayer and order people to pray; smoking vanished from the markets, or at least was no longer to be seen in public. When Ibn Bishr moves on to the chaotic years that followed the destruction of the first Saʿūdī state by the Egyptians, he devotes some purple passages to the disappearance of forbidding wrong and the moral and social disorders that flowed from this.¹⁹ Thus he continues to present the duty as central to the Wahhābī enterprise to the end of the first Saʿūdī state and beyond.

There is nevertheless reason to doubt much of this testimony.²⁰ We are fortunately in a position to compare Ibn Bishr’s account of early Saʿūdī

¹⁶ Viz. ʿAbd al-ʿAzīz ibn Saʿūd (r. 1179–1218/1765–1803) (Ibn Bishr, *Unwān*, 120.16), Saʿūd ibn ʿAbd al-ʿAzīz (r. 1218–29/1803–14) (*ibid.*, 171.27), and ʿAbdallāh ibn Saʿūd (r. 1229–33/1814–18) (*ibid.*, 207.8). He adds of Saʿūd that he frequently urged people to carry out the duty, both in his assemblies and in correspondence (see also his speech to two quarrelling tribal chiefs, *ibid.*, 170.14). ¹⁷ *Ibid.*, 208.25.

¹⁸ *Ibid.*, 136.5 (1223/1809), 146.4 (1225/1811), 153.10 (1226/1811), 155.7 (1227/1812). Oddly, he makes no reference to such measures in his account of the original occupation of Mecca in 1217 (or rather 1218)/1803 (*ibid.*, 117.1); but the Meccan chronicler Aḥmad ibn Zaynī Daḥlān (d. 1304/1886) states that Saʿūd had a bonfire made of tobacco-pipes (*shiyash*) and stringed musical instruments, after recording the names of their owners (*Khulāṣat al-kalām*, Cairo 1305, 279.1, paraphrased in C. Snouck Hurgronje, *Mekka*, The Hague 1888–9, 1:150). He adds that the scholars of Mecca were made to study the *Kaṣḥf al-shubuhāt* of Ibn ʿAbd al-Wahhāb (Daḥlān, *Khulāṣat al-kalām*, 279.5). Daḥlān further reports that in 1221/1806 the Sharīf of Mecca issued orders to the people of Mecca and Jedda banning tobacco, requiring attendance at the mosque, and imposing readings of epistles of Ibn ʿAbd al-Wahhāb on the scholars; this, of course, was in deference to Saʿūdī views (*ibid.*, 292.29, and cf. Snouck Hurgronje, *Mekka*, 1:153). Burckhardt confirms that, as a result of the Saʿūdī conquest, the Meccans were ‘obliged to pray more punctually than usual’, and to desist from smoking in public; he mentions a bonfire of ‘Persian pipes’ in front of Saʿūd’s headquarters (J. L. Burckhardt, *Notes on the Bedouins and Wahābys*, London 1831, 2:195). In addition, he attests roll-calls at prayers in Medina during the Saʿūdī occupation (*ibid.*, 199). See also below, note 49.

¹⁹ Ibn Bishr, *Unwān*, 209.13, 243.17, 297.2. For the antithesis between *al-amr bi’l-ma’rūf* and anarchy, compare also *ibid.*, 62.13. The examples of moral deterioration given by Ibn Bishr are music-making and neglect of prayer.

²⁰ I would accept the authenticity of his account of Saʿūd’s pilgrimages; as we have seen (above, note 18), it is confirmed by non-Wahhābī sources. But it is also the only context in which Ibn Bishr’s use of the terminology of *al-amr bi’l-ma’rūf* is matched by concrete historical detail – elsewhere his language merely embellishes his story. I thus tend to think that the conduct of the Saʿūdīs in the Ḥijāz represents an untypical response to a distinc-

history with that of a chronicler contemporary with the first Saʿūdī state, Ibn Ghannām (d. 1225/1810f.). In this earlier presentation, references to forbidding wrong are all but absent. In recounting Ibn ʿAbd al-Wahhāb’s career, Ibn Ghannām makes a reference to his performance of the duty in ʿUyayna;²¹ and he makes passing mention of it in a poem.²² But that is all.

At the same time, forbidding wrong is not a prominent theme in the writings of Ibn ʿAbd al-Wahhāb. It is sometimes said that he devoted a separate work to the subject,²³ but this seems to be without firm foundation. As might be expected, he refers to the duty from time to time in his numerous extant works. Thus he includes it in two credal statements, in each case as the last item in a list.²⁴ He gives it a mention, but no more, in a commentary to Q3:100–8.²⁵ He briefly discusses the familiar issue of the appropriateness or otherwise of seeking to perform the duty in matters over which the law-schools differ.²⁶ He repeats familiar legal material

tive context: the prevalence of such laxity in such holy places. The alternative is to suppose that what was exceptional about the Ḥijāz was not what happened there but the quality of our evidence for it. This strikes me as possible but less likely.

- ²¹ Ibn Ghannām, *Rawḍa*, 2:2.4. There is no reference to the duty in the obituary notice that Ibn Ghannām devotes to Ibn ʿAbd al-Wahhāb (*ibid.*, 174–7). For an analysis of the general character of Ibn Ghannām’s treatment of the career of Ibn ʿAbd al-Wahhāb, see Peskes, *Muhammad b. ʿAbd al-Wahhāb*, 221–52.
- ²² Ibn Ghannām, *Rawḍa*, 2:217.7. Ibn Ghannām does not cover the Saʿūdī occupation of the Ḥijāz; his chronicle as we have it breaks off in 1212/1797f.
- ²³ See, for example, K. al-Ziriklī, *Aʿlām*, Beirut 1979, 6:257b; ʿU. R. Kaḥḥāla, *Muʿjam al-muʿallifin*, Damascus 1957–61, 10:269b. The oldest authority I know for this alleged work is Ṣiddīq Ḥasan Khān al-Qannawjī (d. 1307/1890) (*Abjad al-ʿulūm*, Bhopal 1295–6, 874.23, in a list of writings of Ibn ʿAbd al-Wahhāb which he states he had seen himself). It also appears in a list of the works of Ibn ʿAbd al-Wahhāb in a heavily edited version of the first volume of Ibn Bishr’s chronicle (*al-Juzʿ al-awwal min kitāb ʿUnwān al-majd fī taʾrīkh Najd*, Baghdad 1328, 57.4); no such title is mentioned in the original (Ibn Bishr, *ʿUnwān*, 85.9), and the insertion is likely to be the work of the young Ibn Mānīʿ (d. 1385/1965), who contributed to the editing of this version (cf. *al-Juzʿ al-awwal*, 57 n. 1).
- ²⁴ ʿAbd al-Rahmān ibn Qāsim al-ʿĀsimī (d. 1372/1953), *al-Durar al-saniyya fī ʿl-ajwiba al-Najdiyya*, Beirut 1978, 1:30.13, 59.2. The first of these creeds appears in the Baghdad version of Ibn Bishr’s chronicle (Ibn Bishr, *al-Juzʿ al-awwal*, 67–70), but not in the later and more authentic printings of the work; it is translated in R. Hartmann, ‘Die Wahhābiten’, *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 78 (1924), 179–84. Our passage is at Ibn Bishr, *al-Juzʿ al-awwal*, 70.17, and Hartmann, ‘Die Wahhābiten’, 184 §18. Hartmann points out the dependance of this creed, our article included, on Ibn Taymiyya’s *Wāsiṭiyya* (*ibid.*, 186; cf. above, ch. 7, note 69). The second creed is quoted in extenso by Jabartī under the events of the year 1218/1803f. (Jabartī (d. 1240/1824f.), *ʿAjāʾib al-āthār*, ed. Ḥ. M. Jawhar *et al.*, Cairo 1958–67, 6:72–6; our passage is at *ibid.*, 76.10). It is not in fact clear in Jabartī’s presentation who exactly is the author of the creed (*ibid.*, 72.12).
- ²⁵ Ibn Ghannām, *Rawḍa*, 1:245.10. He says that a *ṭāʾifa mutajarrida* is here commanded to undertake the duty of calling to good and forbidding wrong, by which we may understand a group that exists solely for this purpose.
- ²⁶ He offers the usual formula that there is no *inkār* in matters of *ijtihād* (*ibid.*, 2:163.5, in a letter to the scholars of Mecca written in 1204/1789f.). See also *Muʿallafāt al-Shaykh al-imām Muḥammad ibn ʿAbd al-Wahhāb*, ed. ʿA. Z. al-Rūmī *et al.*, Riyāḍ 1398, 3:2:33.8, and Ibn Qāsim, *Durar*, 1:136.11.

regarding the duties of the wedding-guest.²⁷ He ironically entertains the notion that his polemical opponents might consider themselves to be performing the duty against him.²⁸ But such references do not suggest any particular urgency or centrality of the duty in his conception of his mission.

Two passages in the works of Ibn ‘Abd al-Wahhāb merit closer attention in this connection. The first is a letter to the Wahhābīs of Sudayr.²⁹ What he emphasises here is the importance of tact in the performance of the duty. It should be performed in the first instance nicely and in private, and not in such a manner as to give rise to schism in the community. Indeed, if the offender is a ruler (*amīr*), it would seem that he should not be reproved in public at all.³⁰ The interest of these prescriptions lies in the fact that they are a response to current events. Although the circumstances that elicited this advice are not specified, it is clear from the letter that some men of religion in the oasis of Ḥawṭa had spoken out harshly against some evil, probably one committed by the local ruler, and that this had led to dissension. What is striking is that in this practical context of political damage limitation, Ibn ‘Abd al-Wahhāb felt no embarrassment about minimising the demands of the duty; clearly it had little bearing on the integrity of his mission. The second passage to be considered here is the only one I have encountered in which Ibn ‘Abd al-Wahhāb relates forbidding wrong to the struggle against polytheism. What is under discussion here is the part played by the scholars in this struggle; he states that they used to perform their role in the past,³¹ and defines them as those who pit themselves against sin and heresy, to the extent that they are able to do so, by thought, word and deed.³² In other words, he is here describing an earlier situation in which it was individual scholars, not rulers and armies, who carried on the struggle; the current phase of outright war on polytheism is something else again.

There are two other scholars of the first Sa‘ūdī period whose writings survive in sufficient bulk to make their views worth discussing: Ḥamad ibn Nāṣir ibn Mu‘ammar (d. 1225/1811) and Ibn ‘Abd al-Wahhāb’s son ‘Abdallāh (d. 1242/1826f.).³³ Ḥamad, a pupil of Ibn ‘Abd al-Wahhāb,

²⁷ See above, ch. 7, note 2. ²⁸ Ibn Ghannām, *Rawḍa*, 1:72.18, 226.8.

²⁹ *Ibid.*, 221–3. ³⁰ *Ibid.*, 222.23.

³¹ *Ibid.*, 1:92.10 (the passage is from his *Kashf al-shubuhāt*). Compare the complaint of two pupils of Ibn ‘Abd al-Wahhāb in an epistle to ‘Abdallāh ibn ‘Isā al-Muways (d. 1175/1761f.) that, prior to the appearance of Ibn ‘Abd al-Wahhāb, their scholars (*‘ulamā’ unā*) had not performed the duty (*lā ya’murūn bi-ma’rūf wa-lā yanbahūn ‘an munkar*) with regard to the many innovations of which they were guilty (Bassām, *‘Ulamā’ Najd*, 606.11). Of Ibn ‘Abd al-Wahhāb himself they say that he ‘commanded’ and ‘forbade’ (*ya’murubum wa-yanbahūm, fa-amara wa-nahā, ibid.*, 605.23, 606.3).

³² Ibn Ghannām, *Rawḍa*, 1:92.20. He proceeds to quote the Prophetic tradition on the ‘three modes’ (*ibid.*, 92.25; for this tradition, see above, ch. 3, section 1).

³³ Some of ‘Abdallāh’s writings are coauthored by one or more of his brothers; in what

touches on the duty in three of his responsa. In one, he is asked whether the obligation lapses once the offence has come to the notice of the ruler. He answers that it does not: if the ruler fails to perform the duty, you have the obligation to act yourself in so far as you are able. He stresses the primary importance of the ability (*istiṭā'a*) to perform the duty, and the balancing of costs and benefits in deciding whether to do so.³⁴ In a second responsum, he is confronted with the view (attested in other schools) that if one is unable to perform the duty, one should emigrate. He pronounces against this suggestion. Emigration (*hijra*), he says, is obligatory where Muslims living in infidel lands are unable to practise their religion, and perhaps even if they are able to do so; but it is not appropriate in a land of mere misdeeds (*ma'ūṣi*), as opposed to one of outright unbelief.³⁵ The third responsum is concerned with exceptions to the principle that one should not speak evil of a fellow-believer behind his back. One of these exceptions is seeking help in forbidding wrong. Here it is allowable to say: 'So-and-so is doing such-and-such, stop him!'³⁶ Again, the duty is hardly a major focus of attention, and no connection is made between it and holy war against polytheists.

'Abdallāh, the most prolific of Ibn 'Abd al-Wahhāb's sons, makes some half-a-dozen references to the duty. Some are relatively uninteresting. He touches more than once on the issue of forbidding wrong with regard to matters in dispute between the law-schools.³⁷ He describes (not entirely accurately) an ancient clash of opinion within the Sunnī fold over the degree of activism appropriate in carrying out the duty;³⁸ the context is a scholastic dispute with a Zaydī polemicist regarding Sunnī attitudes to the rebellion of

follows I have treated these joint efforts as his. By way of completeness, it may be added that 'Abdallāh's son Sulaymān mentions the duty alongside *jihād* in a call for solidarity among the believers against the infidel (printed in *Majmū'at al-tawhīd al-Najdiyya*, ed. Y. 'A. al-Nāfi', Cairo 1375, 369.19; also in *Majmū'at al-tawhīd*, Damascus 1962, 164.17, where the same text is wrongly ascribed to Ibn 'Abd al-Wahhāb owing to the loss of initial material, see *ibid.*, 158.3, and contrast *ibid.*, 178.10).

³⁴ *Majmū'a*, 2:3:41.10. For this balancing of costs and benefits, cf. above, ch. 7, 154f.

³⁵ *Ibid.*, 1:581.12.

³⁶ *Ibid.*, 531.9; this text also appears *ibid.*, 4:817.6, without attribution. The point is not a new one, see for example Mar'ī ibn Yūsuf (d. 1033/1623f.), *Ghāyat al-muntahā*, Riyāḍ 1981, 3:474.7.

³⁷ *Majmū'a*, 1:99.7, 225.6, 236.12 (and cf. 244.10). See also *ibid.*, 509.4 (apparently by his brother 'Alī).

³⁸ On the one hand there was the view that *al-amr bi'l-ma'rūf* is to be performed with the tongue and heart, but not with the hand or sword, nor by means of rebellion against even unjust rulers (*ibid.*, 4:70.5); on the other, there was the view that the sword must be unsheathed where there is no other way to put a stop to the evil (*ibid.*, 71.4). He includes Ibn Ḥanbal among the proponents of the first view (*ibid.*, 70.7), which is not quite right – as he should have known, Ibn Ḥanbal does not exclude performance with the hand (see above, ch. 5, 96f.). This account must derive from the heresiography of Ibn Ḥazm (d. 456/1064), where the same error appears (*Fisal*, Cairo 1317–21, 4:171.9).

Ḥusayn ibn ‘Alī (d. 61/680), not contemporary practice.³⁹ Elsewhere he takes up the duty in what are clearly contemporary contexts. In an open letter to the faithful,⁴⁰ he discusses it in general terms. He stresses a number of points: the sinfulness of being deterred from speaking out through fear or respect of persons,⁴¹ the distinction between a hidden evil which harms only the evildoer and one out in the open which is detrimental to the public at large,⁴² and the impropriety of taking exception when the duty is directed against one’s own associates.⁴³ More specific than this is an epistle written in reaction to a rising tide of dishonesty in matters of booty (*maghnam*).⁴⁴ After stressing the overall importance of the duty, he says that anyone who knows of undeclared booty should counsel the offender and order him to turn it in – failing which he should report him to the commander (*amīr*); there is no excuse for inaction.⁴⁵ He goes on to make another general statement about the duty. It is, he says, an obligation incumbent on all subjects (*jamī‘ al-ra‘iyya*); however, the ruler (*imām*) has an even stronger duty to engage in it, whether the offender in question is close by or far away.⁴⁶ A further epistle in which ‘Abdallāh responds to contemporary circumstances was written while he was in Mecca in 1218/1803f. during the Sa‘ūdī occupation.⁴⁷ He quotes a speech of Sa‘ūd to the Meccans in which the Sa‘ūdī ruler affirms that there are only two points at issue between the two sides: monotheism and forbidding wrong – of which latter only the name is to be found among the Meccans.⁴⁸ But when he comes to the practicalities of the duty, his tone is conciliatory. We forbid, he tells them, only innovations tending to polytheism; this apart, we tolerate such things as coffee, love-poems, eulogies of kings, the war-drum, and the tambourine at weddings – but not, of course, musical instruments at large.⁴⁹

From these references it is clear that we have to do with a duty of some significance in the life of the community, but again it is not one central to

³⁹ The tract in which the discussion occurs bears the title *Jawāb ahl al-sunna al-nabawiyya fi naqd kalām al-Shī‘a wa’l-Zaydiyya* (*Majmū‘a*, 4:47–221).

⁴⁰ *Ibid.*, 1:27–32, coauthored by his brothers Ibrāhīm and ‘Alī. ⁴¹ *Ibid.*, 28.15.

⁴² *Ibid.*, 28.16. ⁴³ *Ibid.*, 30.14. For *ṭarīfa* read *tā’ifa*.

⁴⁴ *Ibid.*, 17–21. This epistle is coauthored by his brother ‘Alī and by one Ḥamad (presumably Ḥamad ibn Nāṣir ibn Mu‘ammar). ⁴⁵ *Ibid.*, 19.15.

⁴⁶ *Ibid.*, 20.12. This passage is quoted without indication of source, and misattributed to Ibn ‘Abd al-Wahhāb, in M. K. Imām, *Uṣūl al-ḥisba fi ‘l-Islām: dirāsa ta‘līfiyya muqārīna*, Cairo 1986, 128; the same misattribution already appears in ‘A. Ḥ. Abū ‘Aliyya, *al-Dawla al-Su‘ūdiyya al-thāniyya*, Riyāḍ 1974, 249 (this work was drawn to my attention by Yitzhak Nakash). These two authors also share the anachronistic use of the term *bay‘a*, characteristic of the third Sa‘ūdī state (*ibid.*, 249f.; Imām, *Uṣūl al-ḥisba*, 131, 140; for the third Sa‘ūdī state, see below, section 4).

⁴⁷ Sulaymān ibn Sahnān (d. 1349/1930) (ed.), *al-Hadiyya al-sunniyya wa’l-tuhfa al-Wahhābiyya al-Najdiyya*, Cairo 1344, 35–50. ⁴⁸ *Ibid.*, 36.3. ⁴⁹ *Ibid.*, 49.2.

the Wahhābī cause. This point can be underlined if we turn to a responsum which is the only one I have encountered in which ‘Abdallāh links forbidding wrong to the struggle against polytheism. Here the question relates to a situation in which the Wahhābī cause has made its appearance in some town, but, it seems clear, has not yet achieved political dominance there.⁵⁰ Suppose, he is asked, one of the people of the town accepts the truth of the doctrine, but is unwilling to engage in forbidding wrong, and instead expresses disapproval of fellow-monotheists who affirm their disassociation from the false religion of their ancestors. The answer is that under such circumstances a Muslim has the duty of emigration (*hijra*).⁵¹ Again, forbidding wrong and the struggle against polytheism are linked only at a stage prior to military action.

To complete this survey, it may be added that there are a few references to forbidding wrong in epistles of the rulers ‘Abd al-‘Azīz ibn Sa‘ūd (1179–1218/1765–1803) and Sa‘ūd ibn ‘Abd al-‘Azīz. The duty is mentioned among the fundamentals of Islam, but without further elaboration.⁵²

The significance of all this becomes apparent when we turn to a thoroughly tendentious letter written in 1231/1816 by the last ruler of the first Sa‘ūdī state, ‘Abdallāh ibn Sa‘ūd (r. 1229–33/1814–18). The addressee is Muḥammad ‘Alī (r. 1220–64/1805–48), the ruler of Egypt whose troops were shortly to bring the history of the state to a brutal conclusion.⁵³ This letter can be seen as a classic attempt at the insincere but politic placation of the infidel (*mudārāt al-kuffār*). In one passage, ‘Abdallāh offers an account of the wars the Wahhābīs had waged in propagating their cause. It was, he tells Muḥammad ‘Alī, their opponents who had started these wars – the Ḥijāzīs and others. The Sa‘ūdīs, on finding themselves in the position of victors over their irreligious enemies, had felt it their duty to impose the law of Islam on them. ‘Abdallāh then justifies this modest corrective measure by citing God and His Prophet – the first for one of the Koranic verses that mention forbidding wrong (Q22:41), the second for the well-known tradition of the ‘three modes’. To these authorities he tactfully adds a third: the Sa‘ūdīs, he explains, had been confident that the misdeeds of their vanquished enemies had not enjoyed the approval of the (Ottoman) sultan.⁵⁴ With this elaborately insincere apologia we can appropriately contrast the real thing, a short epistle in which Ibn ‘Abd al-Wahhāb himself

⁵⁰ *Majmū‘at al-tawhīd*, 432–4. This responsum is coauthored by his brother Ḥusayn (d. 1224/1809). ⁵¹ *Ibid.*, 432.2. The text at line 7 is unclear to me.

⁵² Ibn Qāsim, *Durar*, 1:147.21, 149.13 (epistles of ‘Abd al-‘Azīz); 156.18 (epistle of Sa‘ūd).

⁵³ The letter is published in ‘A. ‘A. ‘Abd al-Raḥīm, *al-Dawla al-Su‘ūdīyya al-ūlā*, Cairo 1975, 435–7. For the dating of the letter, see ‘Abd al-Raḥīm’s remarks, *ibid.*, 324f., aptly citing Ibn Bishr, *Unwān*, 185.3. ⁵⁴ ‘Abd al-Raḥīm, *Dawla*, 436.2.

sets out the doctrinal basis of Wāhhābī militancy.⁵⁵ God, he points out in no uncertain terms, has ordered us to kill the polytheists wherever we find them, to capture them, surround them and ambush them (Q9:5). The Prophet, in turn, stated that he had been commanded to fight people till they converted to Islam.⁵⁶ Ibn ‘Abd al-Wāhhāb’s third authority is not the Ottoman sultan but the scholars: those of all schools have agreed on this same doctrine, with the exception of some ignorant so-called scholars who hold that anyone who pronounces the confession of faith is a Muslim. The choice, then, is simple: either to believe God and His Prophet, and disassociate from these ignoramuses, or to believe them and give the lie to God and His Prophet.⁵⁷

The duty of forbidding wrong is a wide-ranging one. It includes the denunciation of polytheism by those not in a position to use military force against it; we have seen this in Ibn ‘Abd al-Wāhhāb’s remarks on the duty of the scholars to combat polytheism, and in his son ‘Abdallāh’s response on the position of a Wāhhābī believer in a society where the true doctrine is only beginning to spread. Equally, the duty includes action taken against routine misconduct within a Wāhhābī-dominated society; this is illustrated by Ibn ‘Abd al-Wāhhāb’s emphasis on the importance of tact, by ‘Abdallāh’s concern with undeclared booty, and by the campaign against vice waged by the Wāhhābīs when in control of Mecca – a struggle strongly emphasised by Ibn Bishr, albeit underplayed by ‘Abdallāh. But neither of these aspects of the duty lay at the core of the Wāhhābī enterprise, the essence of which was to pit against polytheism a political dominance created by military force. In principle, this too could be seen as an instance of forbidding wrong;⁵⁸ and in desperate straits, as we have seen, ‘Abdallāh ibn Sa‘ūd made a patently insincere attempt to portray the Wāhhābī onslaught in such terms – it was no more than an adventitious combination of successful defensive warfare and subsequent performance of the duty. But it was simpler and more effective to identify the militant

⁵⁵ *Majmū‘a*, 4:41f.

⁵⁶ The wording of this well-known tradition quoted by Ibn ‘Abd al-Wāhhāb is identical with that found in Bukhārī, *Ṣaḥīḥ*, 1:14.10.

⁵⁷ *Majmū‘a*, 4:41.11. Compare the third of the four basic principles enunciated by Ibn ‘Abd al-Wāhhāb with regard to the distinction between believers and polytheists: the Prophet encountered people who practised a variety of forms of religion, ranging from the worship of the sun and moon to the cult of saints (*ṣāliḥūn*) and angels; he fought all of them without distinction (*Majmū‘at al-tawḥīd al-Najdiyya*, 255.14). The contemporary relevance of this point is accentuated by the fourth principle: the polytheists of our time are even worse than were those of the time of the Prophet (*ibid.*, 256.14).

⁵⁸ For Ibn Taymiyya’s emphasis on the link between *al-amr bi’l-ma‘rūf* and *jihād*, see above, ch. 7, note 56; and cf. the statement of ‘Abd al-Laṭīf ibn ‘Abd al-Raḥmān (d. 1293/1876) cited below, note 96.

monotheism of the Wahhābīs as holy war against the infidel. It was by bringing the frontier between Islam and polytheism back into the centre of the supposedly Muslim world that Wahhābism contrived to be a doctrine of state-formation and conquest. For a movement with so pointed and aggressive a programme, the idea of forbidding wrong was at once too general in conception, and too modest in its associations.

3. THE SECOND SAʿŪDĪ STATE

The second Saʿūdī state (1238–1305/1823–87) presents a rather different picture. References to forbidding wrong are more frequent in texts dating from this period, and its role in Wahhābī life is considerably more salient.

The importance of forbidding wrong is regularly stressed. Thus Turkī ibn ʿAbdallāh (r. 1238–49/1823–34), himself a noted performer of the duty,⁵⁹ emphasises the seriousness of neglecting it with regard to non-attendance at prayer.⁶⁰ Fayṣal ibn Turkī (r. 1249–54/1834–8 and 1259–82/1843–65) tells his people that it is one of the pillars (*arkān*) of Islam.⁶¹ A prominent Wahhābī scholar of the age, ʿAbd al-Laṭīf ibn ʿAbd al-Raḥmān (d. 1293/1876),⁶² echoes the same view, and describes the obligation as one of the most binding duties of Islam.⁶³ He warns against its neglect out of a desire to please,⁶⁴ and adduces a substantial array of proof-texts demonstrating its obligatoriness.⁶⁵ His father, ʿAbd al-Raḥmān ibn Ḥasan (d. 1285/1869),⁶⁶ the leading Wahhābī scholar at a somewhat

⁵⁹ Ibn Bishr, *Unwān*, 300.21. ⁶⁰ See his epistle, *ibid.*, 301.17.

⁶¹ See his epistle *ibid.*, 348.29. He quotes a view of the *salaf* according to which Islam rests on ten pillars, of which *al-amr bi'l-ma'rūf* is one and *al-nahy ʿan al-munkar* another. For this epistle, see Philby, *Saʿūdī Arabia*, 194, and R. B. Winder, *Saudi Arabia in the nineteenth century*, London 1965, 225.

⁶² For this great-grandson of Ibn ʿAbd al-Wahhāb, see Winder, *Saudi Arabia*, 120 n. 1, 160; M. J. Crawford, 'Civil war, foreign intervention, and the question of political legitimacy: a nineteenth-century Saʿūdī qāḍī's dilemma', *International Journal of Middle East Studies*, 14 (1982), 232, 242. He is described as an assiduous performer of the duty (ʿAbd al-Raḥmān ibn ʿAbd al-Laṭīf ʿĀl al-Shaykh, *Mashābir ʿulamāʾ Najd wa-ghayribihim*, Riyāḍ 1394, 95.14).

⁶³ See his epistle in *Majmūʿa*, 4:555.14. Echoing Ibn Taymiyya, he states that *al-amr bi'l-ma'rūf* is the purpose of God's revelation (*ibid.*, 555.18; cf. above, ch. 7, note 55).

⁶⁴ *Ibid.*, 557.13; also *ibid.*, 1:421.6.

⁶⁵ *Ibid.*, 4:555–7. A similar collection of proof-texts is given by Ḥasan ibn Ḥusayn (d. 1340/1922) in a short excursus on the duty (*Majmūʿa*, 1:441–3; he ends with the remark that he had compiled a separate work on *al-amr bi'l-ma'rūf*). For this descendant of Ibn ʿAbd al-Wahhāb, see ʿĀl al-Shaykh, *Mashābir*, 142f.

⁶⁶ For this grandson of Ibn ʿAbd al-Wahhāb, see esp. Winder, *Saudi Arabia*, 65f., 204f., and Crawford, 'Civil war', 231f. He too is described as a zealous performer of the duty (ʿĀl al-Shaykh, *Mashābir*, 81.5, 84.10, 86.7).

earlier date, is similarly concerned about neglect of the duty; he laments the feebleness with which it is currently performed,⁶⁷ and makes a general appeal for a more committed practice of it.⁶⁸ In an epistle distributed to the regions of Najd, he calls on everyone to practise it and to give their support to those who carry it out.⁶⁹ None of these authorities offers a comprehensive account of forbidding wrong, but the main points find mention.⁷⁰

These texts also emphasise that the duty is incumbent on every member of the community. It is, of course, a collective duty. But both ‘Abd al-Raḥmān and his son stress that this does not make it any less onerous: in the event that no one undertakes to perform it, all who could have carried it out are guilty.⁷¹ Thus it is not just the elite, but also ordinary individuals (*āḥād al-‘āmma*) who are obligated.⁷² Every one (*kull aḥad*) should ostracise those who visit the land of the polytheists for trade, and should manifest disapproval of their actions.⁷³ Likewise Fayṣal requires all who fear God to perform the duty,⁷⁴ and calls upon his subjects to do so to each other.⁷⁵

⁶⁷ See his epistle to Fayṣal in *Majmū‘a*, 4:380.18. ⁶⁸ *Ibid.*, 381.3.

⁶⁹ Ibn Bishr, ‘*Unwān*’, 265.22, 266.14. On this epistle see Winder, *Saudi Arabia*, 87; the second passage is adduced in Crawford, ‘Civil war’, 233.

⁷⁰ Turḳī mentions that counsel (*nush*) precedes punitive action (*ta’dīb*) (see his epistle in Ibn Bishr, ‘*Unwān*’, 303.20). Fayṣal stipulates knowledge (*ibid.*, 309.23; cf. also *Majmū‘a*, 4:383.9). ‘Abd al-Raḥmān outlines the three modes (*ibid.*, 2:2:31.3), equating performance in the heart with *karāha* (*ibid.*, 32.8). He mentions that the capacity to perform the duty is a precondition for obligation (*ibid.*, 31.3, 32.8, and cf. *ibid.*, 4:381.1; see also the statement of ‘Abd al-Laṭīf, *ibid.*, 3:282.13). There is the inevitable discussion of the role of the tambourine at weddings: ‘Abd al-Raḥmān lays down that its use is acceptable in the daytime, but not at night, when those who are able to do so must put a stop to it (*ibid.*, 1:379.16, 4:408.7). For the collective character of the duty, see the following note.

⁷¹ *Ibid.*, 2:2:31.4; 4:380.21, 555.16. The last is adduced in Crawford, ‘Civil war’, 233.

⁷² ‘Abd al-Laṭīf in *Majmū‘a*, 4:555.13. ‘Abd al-Raḥmān addresses his exhortation to perform the duty to the *ma’shar al-ikhwān min al-khāṣṣa wa’l-‘āmma* (*ibid.*, 381.3; see also *ibid.*, 423.8).

⁷³ ‘Abd al-Laṭīf in *Majmū‘a*, 3:39.20. It should be explained that ‘Abd al-Laṭīf is here reinterpreting a responsum of his father’s on the question (for this responsum, see *ibid.*, 1:380.17, 3:37.18, 4:409.7). ‘Abd al-Raḥmān had stated that offenders should be subjected to ostracism (*hajr*) and disapproval (*karāha*), but not abuse (*sabb*) or physical violence (*ta’nīf*, *ḍarb*). ‘Abd al-Laṭīf, perturbed by the lenience of this ruling, specifies that his father’s prescription applies to individuals; the authorities, by contrast, should use punishment and imprisonment against offenders. The issue of such travel is discussed elsewhere in Wahhābī literature (see, for example, the significantly less negative responsum of Sulaymān ibn ‘Abdallāh (d. 1233/1818) on the question in *Majmū‘at al-tawḥīd al-Najdiyya*, 390f.). ‘Abd al-Laṭīf himself takes a more favourable view of a man who mixes with his polytheistic fellow-townsmen in the hope of winning them over to Islam (*Majmū‘a*, 3:127.15); he argues the point in terms of the greater utility (*al-maṣlaḥa al-rājiḥa*) of such action. For an earlier Hanbalite view, see Abū Ya’la, *Amr*, f. 112a.1.

⁷⁴ Ibn Bishr, ‘*Unwān*’, 309.22. For this epistle, see Winder, *Saudi Arabia*, 99.

⁷⁵ *Majmū‘a*, 4:383.9 (*ta’amarū . . . wa-tanāhaw . . .*).

A more distinctive, and somewhat antithetical, feature of these texts is their stress on what might be called the officialisation of forbidding wrong.⁷⁶ One of the characteristic activities of the Saʿūdī rulers Turkī and Fayṣal was the writing of exhortatory epistles to their subjects in fulfilment of the duty,⁷⁷ and in order to urge them to perform it.⁷⁸ Thus Fayṣal states that it is through forbidding wrong that fundamental religious instruction is carried out, and hence that it is essential that there should be people to undertake the duty in every district.⁷⁹ He requires each emir to support those who carry out the obligation, just as they support him.⁸⁰ Likewise ʿAbd al-Laṭīf emphasises the duty of scholars and emirs to assist those who forbid wrong.⁸¹ ʿAbd al-Raḥmān speaks of the ruler's duty to send out officials (*ummāl*) in charge of religious affairs, just as he sends out tax-collectors; they are to instruct the people, and to command and forbid them.⁸²

There are other pointers to the official, not to say officious, character of the duty. Those charged with it engage in investigation (*tafaqqud*). Thus Turkī orders his emirs to seek out people who gather together to smoke tobacco.⁸³ ʿAbd al-Laṭīf says that the scholars and emirs should keep a check on the people of their towns with regard to prayer and religious instruction.⁸⁴ Performance of the pilgrimage is likewise to be monitored, since ordering subjects (*al-raʿiyya*) to discharge this obligation is part of the duty.⁸⁵ Holding religious meetings (*majālis*) is another aspect of the system; those known for their failure to attend are to be reported to the ruler.⁸⁶ Turkī further stipulates that people who obstruct the forbidding of wrong are to be punished with exile.⁸⁷ We also encounter the inevitable accompaniments of this official meddlesomeness: corrupt motives on the part of those performing the duty,⁸⁸ and sniggering on the part of those

⁷⁶ It may be noted that these texts make no use of the terms *ḥisba* and *muḥtasib*.

⁷⁷ Ibn Bishr, *ʿUnwān*, 304.1; Winder, *Saudi Arabia*, 87. Compare Fayṣal's exhortation to his subjects to perform the duty in his accession speech (Ibn Bishr, *ʿUnwān*, 309.1).

⁷⁸ In addition to the references given elsewhere in this section, see Ibn Bishr, *ʿUnwān*, 365.1, where Fayṣal in 1265/1848f. urges the people of ʿUnayza to perform the duty at a time of incipient rebellion. ⁷⁹ See his epistle *ibid.*, 309.16.

⁸⁰ *Ibid.*, 309.24. They are in truth his *khāṣṣa*, those closest to him.

⁸¹ *Majmūʿa*, 3:343.17. ⁸² *Ibid.*, 4:381.5; and cf. *ibid.*, 2:2:7.18.

⁸³ Ibn Bishr, *ʿUnwān*, 303.18.

⁸⁴ *Majmūʿa*, 3:343.19. ʿAbd al-Raḥmān similarly equates keeping an eye on the prayer and instruction of fellow-townspersons with *al-amr bi'l-ma'rūf* (Ibn Bishr, *ʿUnwān*, 266.15).

⁸⁵ ʿAbd al-Raḥmān in *Majmūʿa*, 2:2:10.4 (noted in Laoust, *Essai*, 528).

⁸⁶ Turkī in Ibn Bishr, *ʿUnwān*, 303.19. Cf. his emphasis on people coming to the mosque to pray (*ibid.*, 301.10), and Fayṣal's instructions at the end of one of his epistles that the text be read in all mosques, and that the reading be repeated every two months (*ibid.*, 349.19; also Philby, *Saʿudi Arabia*, 194, and Winder, *Saudi Arabia*, 225).

⁸⁷ Ibn Bishr, *ʿUnwān*, 303.21. ⁸⁸ *Majmūʿa*, 2:2:35.10.

exposed to it.⁸⁹ And we have a most vivid description of the oppressiveness of this official system from the pen of the notoriously unreliable traveller Palgrave, who visited Riyāḍ in 1279/1862 – or at least, he claims to have done so.⁹⁰

Why was forbidding wrong so prominent in the second Saʿūdī state, and why was it so heavily officialised? Clearly we are looking at an aspect of the intimate symbiosis of religious and political authority that was so marked a feature of the Saʿūdī state, in contrast to most regimes in the Islamic world at the time.⁹¹ This symbiosis in turn may have owed something to the tribal environment, and something to the political thought of Ibn Taymiyya.⁹² But this cannot account for the contrast between the first and second Saʿūdī states. Why should forbidding wrong, and its officialisation, have been so much more prominent in the latter than they had been in the former?⁹³

⁸⁹ Ḥamad ibn ʿAtīq (d. 1306/1888f.) gives as an example of irreligious mockery (*istihzāʾ*) a man who, on the arrival of those who perform the duty, says: 'The people of the cock (*ahl al-dīk*) have arrived', instead of 'the people of religion (*ahl al-dīn*)' (*Majmūʿat al-tawhīd*, 409.6, and cf. 409.10; for Ibn ʿAtīq, see ʿĀl al-Shaykh, *Mashābir*, 244–54).

⁹⁰ W. G. Palgrave, *Personal narrative of a year's journey through central and eastern Arabia*, London 1883, 243–50, 316–18. He states that the system had arisen, at least in the form in which he encountered it, only during the reign of Fayṣal, in reaction to a cholera epidemic. Fayṣal had convoked an assembly, and out of its deliberations emerged a system of twenty-two 'Zelators' whose task it was to wage war on vice in the capital and beyond. The Arabic term he translates as Zelator is, he tells us, 'Meddey'ye' (*muddaʾī*) (*ibid.*, 243–5). At one point, however, he more credibly equates the terms 'Zelator' and 'Metow'waa' (*ibid.*, 260), i.e. *muṭawwaʾ* (for this term, see Cook, 'Expansion of the first Saudi state', 672). The twenty-two were, he says, 'the real council of state' (*ibid.*, 249). He describes, very plausibly, the vices that the Zelators sought to stamp out (absence from prayer, smoking tobacco, making music and the like) (*ibid.*, 245), after which he goes on to their dress and mode of operation. This included 'unexpectedly entering the houses to see if there is anything incorrect going on there' (*ibid.*, 246) – a striking violation of privacy – and roll-calls of names in the mosques (*ibid.*, 248, 316f., with an account of an 'indignant Zelator' who collects 'a pious band armed with sticks and staves' to investigate absences from prayer). It is hard to know what to make of all this. As Winder has indicated, much of it is not substantiated by any other source (Winder, *Saudi Arabia*, 225 n. 1; and see *ibid.*, 222, for some general observations on the Palgrave problem). But Palgrave's account of roll-calls at prayers rings true: the device is attested under the first and third Saʿūdī states (see above, note 18, and below, notes 93, 106).

⁹¹ For the second Saʿūdī state in particular, see the remarks of Crawford, 'Civil war', 228.

⁹² Crawford advances the view that the relationship between religious and political power in the second Saʿūdī state was inspired by Ibn Taymiyya's ideas (*ibid.*). The claim is plausible, and although he does not document it, it gains some support from statements of Ibn Bishr. He tells us that Ibn Taymiyya's famous work *al-Siyāsa al-sharʿiyya* was one of the texts that used to be read in gatherings at the home of Turkī during his reign (Ibn Bishr, *Unwān*, 300.13); and he recounts how the same text was read in the tent of Fayṣal, in the presence of ʿAbd al-Raḥmān ibn Ḥasan, during a campaign in 1262/1845f. (*ibid.*, 357.15, cited in Winder, *Saudi Arabia*, 226). To my knowledge, Ibn ʿAbd al-Wahhāb does not refer to the work, though he knows the corresponding work of Ibn al-Qayyim, *al-Ṭuruq al-ḥukmiyya fī ʾl-siyāsa al-sharʿiyya* (Ibn Ghannām, *Rawḍa*, 1:227.3, in an epistle to ʿAbd al-Wahhāb ibn ʿAbdallāh ibn ʿĪsā).

⁹³ So far as I know, there is no evidence for the imposition of strict congregational discipline

The most plausible explanation of the contrast is changed historical circumstances. For the leaders of the second Saʿūdī state, as not for those of the first, the opportunities for territorial expansion were severely limited.⁹⁴ At a pinch they could still conquer al-Aḥsāʾ, but the Ḥijāz was now beyond their reach. Hence holy war against the infidel no longer possessed the same charm as a *raison d'être* for a Wahhābī polity. If the Saʿūdī state was not to lose its religious identity, it had to turn its righteousness inwards. Already under the first Saʿūdī state, the conquest of the Ḥijāz had exemplified a tendency for Saʿūdī rule over richer and more sophisticated territories to be accompanied by moral regimentation.⁹⁵ This pattern now reappeared, much enhanced, in the Najdī homeland itself. In effect, forbidding wrong within Wahhābī society had taken the place of holy war on its frontiers.⁹⁶ According to the distinguished Wahhābī scholar ʿAbdallāh ibn ʿAbd al-Raḥmān Abū Buṭayyin (d. 1282/1865),⁹⁷ the primary duty of the ruler is to ensure the adherence of his subjects to the laws of Islam – a duty which includes the practice of forbidding wrong; holy war against the infidel takes second place.⁹⁸ In such a setting, it is easy to understand the anachronistic pervasiveness of forbidding wrong in Ibn Bishr's account of the career of Ibn ʿAbd al-Wahhāb, and of the subsequent history of the first Saʿūdī state.

in Najd under the first Saʿūdī state. This observation is based on my general impressions, together with the detailed research on the region of Washm reported in Cook, 'Expansion of the first Saudi state', esp. 672–5. Roll-calls at prayers are attested for Medina during the first Saʿūdī occupation (see above, note 18).

⁹⁴ Cf. Winder's characterisation of the history of the second Saʿūdī state (*Saudi Arabia*, 7), and his assessment of Fayṣal's overall strategy (*ibid.*, 228).

⁹⁵ For the campaign against vice which attended the Saʿūdī occupation of the Ḥijāz under the first Saʿūdī state, see above, note 18. This pattern was repeated, with the emphasis on organisation characteristic of the second Saʿūdī state, at the conquest of al-Aḥsāʾ in 1245/1830 (for this event, see Winder, *Saudi Arabia*, 75–8). Turkī appointed an *imām* to each village, and provided for action to enforce attendance at prayer; he called for *al-amr bi'l-ma'rūf* to be performed, for religious meetings to be organised, and for religious instruction to be given to the ignorant (Ibn Bishr, *Unwān*, 279.18; Winder, *Saudi Arabia*, 77, 86). Some decades later, the Saʿūdīs were again in occupation of al-Aḥsāʾ, and Pelly, who visited Riyāḍ in the spring of 1281/1865, heard in that or the following year a report that 'emissaries and moollas from the capital' had been sent to al-Aḥsāʾ 'to reprove the people for their laxness of life'; an example of such laxness was the open sale of tobacco in the markets (L. Pelly, *Report on a journey to the Wahabee capital of Riyadh in central Arabia*, Bombay 1866, 70f.).

⁹⁶ The link between *al-amr bi'l-ma'rūf* and *jihād* (see above, ch. 7, note 56) is nevertheless restated by ʿAbd al-Laṭīf: the 'head and root' of the *ma'rūf* in *al-amr bi'l-ma'rūf* is monotheism (*tawḥīd*), just as that of the *munkar* in *al-nahy ʿan al-munkar* is polytheism (*shirk*); *jihād* is, so to speak, an enhanced form of commanding and forbidding (*qadr zā'id ʿan mujarrad al-amr wa'l-nahy*) (*Majmūʿa*, 4:555.18). ʿAbd al-Laṭīf likewise states that those most deserving of being described as performing the duty in Q3:110 are those who call to monotheism (*ibid.*, 3:224.3). For the interpretation of *ma'rūf* and *munkar* in terms of monotheism and polytheism, an early theme of Koranic exegesis, see above, ch. 2, 22–4.

⁹⁷ For Abū Buṭayyin see Winder, *Saudi Arabia*, 178f.; Ibn Ḥumayd, *al-Shuhub al-wābila*, 255–7 no. 383; Āl al-Shaykh, *Mashābir*, 235–8. ⁹⁸ *Majmūʿa*, 2:3:170.18.

4. THE THIRD SA'ŪDĪ STATE

The third Sa'ūdī state was brought into existence in 1319/1902 by the skill and energy of 'Abd al-'Azīz ibn Sa'ūd (r. 1319–73/1902–52). We can best divide its history into two parts: the initial phase of expansion culminating in the conquest of the Ḥijāz in 1343–4/1924–5, and the period from the conquest of the Ḥijāz to the present day. This conquest reflected the more favourable geopolitical environment of the Sa'ūdī state after the demise of the reformed Ottoman Empire. In several ways it was to mark a turning-point in Sa'ūdī history; in particular, it seems to have played a major role in the development of the official organisation of forbidding wrong. As we shall see, the balance of the evidence suggests that it was in the newly conquered Ḥijāz that the current Sa'ūdī system of 'Committees for Commanding Right and Forbidding Wrong' took shape.

Unfortunately, our evidence for the quarter-century prior to the conquest of the Ḥijāz is thin. We possess a traditional Wahhābī creed from the pen of Muḥammad ibn 'Abd al-Laṭīf (d. 1367/1948), a son of the well-known scholar whom we met in the context of the second Sa'ūdī state.⁹⁹ This creed, written in 1339/1920f., takes the form of an open letter to the people of western Arabia.¹⁰⁰ It includes a brief reference to forbidding wrong: we are told that it is obligatory for whoever is capable of performing it, to the extent that they are able to do so, with the hand, tongue or heart.¹⁰¹ From an earlier date – not later than 1335/1916f. – we have a brief discussion of forbidding wrong in a work written by Sulaymān ibn Sahnān (d. 1349/1930) to cool the ardour of overenthusiastic laymen. He stresses the importance of considerations of utility, and of performing the duty with patience and kindness.¹⁰² There is no hint in these doctrinal

⁹⁹ For Muḥammad ibn 'Abd al-Laṭīf, see Āl al-Shaykh, *Mashābir*, 146f. For his father, see above, note 62.

¹⁰⁰ It is published in Ibn Sahnān, *Hadiyya*, 101–10, and Ibn Qāsim, *Durar*, 1:283–90; for a translation, see Laoust, *Essai*, 615–24.

¹⁰¹ Ibn Sahnān, *Hadiyya*, 109.5; Ibn Qāsim, *Durar*, 1:289.12; Laoust, *Essai*, 623. He quotes the Prophetic tradition of the 'three modes' (for which see above, ch. 3, section 1). Ibn Qāsim's text is followed by a further letter from Muḥammad ibn 'Abd al-Laṭīf to the people of western Arabia (*Durar*, 1:290f.), in which *al-amr bi'l-ma'rūf* finds a brief mention (*ibid.*, 291.4).

¹⁰² Sulaymān ibn Sahnān (d. 1349/1930), *Irshād al-tālib ilā aḥamm al-maṭālib*, Cairo 1340, 36.14. He uses a variant of a well-known saying: the performer of the duty must be knowledgeable ('*ālim*'), patient (*ḥalīm*) and civil (*rafiq*) (*ibid.*, 36.17; for the 'three qualities' tradition, cf. above, ch. 3, note 59). The text is printed from a copy made in 1335/1917 (*ibid.*, 63.16). For the question to which he is responding, see *ibid.*, 20.2. The general tenor of the work is indicated by his opening remarks: he stresses that it is undesirable for religiously minded laymen (*al-mutadayyinūn min al-'awāmm*) to meddle in matters beyond their competence (*ibid.*, 2.3), and he warns against those who rush to

texts of the officialisation of the duty that was so marked a feature of the second Saʿūdī state.

The scant material in the biographical sources for this period does, however, suggest a degree of institutionalisation. Thus when ʿAbdallāh ibn ʿAbd al-ʿAzīz al-ʿAnqarī (d. 1373/1953) was made imam of the mosque of Tharmadāʾ in 1321/1903f., he was given various additional functions, among which was the discharge of the duty (*muhimmat al-amr bi'l-ma'rūf*).¹⁰³ At the same time we hear little of purely individual performance.¹⁰⁴

A clearer picture emerges from the foreign sources. Rihani, who visited Riḡāḍ in 1341/1922–3, recounts that floggings were commonly inflicted in the city for smoking, non-attendance at prayer and other such offences.¹⁰⁵ In particular, he was told of regular roll-calls to check attendance at prayer in every mosque in the city. Offenders were visited by a group which Rihani refers to in English as a 'committee' and in Arabic as a 'delegation' (*wafīl*); they were flogged if they did not mend their ways.¹⁰⁶ This fits well with the general characterisation of Saʿūdī religious organisation given by Philby on the basis of his travels towards the end of the First World War. Thus he speaks of the descendants of Ibn ʿAbd al-Wahhāb as constituting 'a recognised state hierarchy with its headquarters at Riḡāḍ',¹⁰⁷ and he describes the role of this hierarchy in training and directing missionaries (*muṭawwaʿs*) sent out to instruct the Beduin.¹⁰⁸

declare others to be infidels (*ibid.*, 3.2). On Ibn Sahnān, see Āl al-Shaykh, *Mashābir*, 290–322, from which it is clear that he was very close to Ibn Saʿūd.

¹⁰³ Bassām, 'Ulamāʾ Najd, 583.19. I have noted two other relevant cases. The first concerns ʿAbdallāh ibn ʿAbd al-Laṭīf (d. 1339/1920), who was widely respected as a teacher. He is described in the traditional formula as *āmīr bi'l-ma'rūf nābī ʿan al-munkar*, with no indication of an official status in this respect (Āl al-Shaykh, *Mashābir*, 134.4; cf. also *ibid.*, 354.16). But he was also regarded as an authority by performers of the duty: *marjīʾ ahl al-ḥisba min al-āmīrīn bi'l-ma'rūf wa'l-murshidīn* (*ibid.*, 134.14). The use of the term *ḥisba* is unusual in a Saʿūdī context, and the wording perhaps suggests a degree of organisation, at least on the part of those who consulted him. The second case is that of ʿUmar ibn Ḥasan (d. 1395/1975): he was appointed to an assistant role in the performance of the duty in 1336/1917f. (Āl al-Shaykh, *Mashābir*, 17.17, and cf. Bassām, 'Ulamāʾ Najd, 742.19).

¹⁰⁴ Ḥamad ibn ʿAbd al-ʿAzīz al-ʿAwsajī (d. 1330/1911f.) is described as strong-hearted in *al-amr bi'l-ma'rūf* (*ibid.*, 227.13), without an indication of an official role; similarly ʿAbdallāh ibn Muḥammad ibn Sulaym (d. 1351/1932) (*ibid.*, 624.9).

¹⁰⁵ A. Rihani, *Maker of modern Arabia*, Boston and New York 1928, 203; A. al-Riḡānī, *Mulūk al-ʿArab*, Beirut 1924–5, 2:74.18.

¹⁰⁶ He uses the term 'committee' in his *Maker of modern Arabia*, 204, but speaks of *wafīl min al-ikhwān* in his *Mulūk al-ʿArab*, 2:75.25. The roll-calls and beatings had already been reported by an American doctor (and undercover missionary) who spent twenty days in Riḡāḍ during the summer of 1335/1917 (P. W. Harrison, 'Al Riadh, the capital of Nejd', *The Moslem World*, 8 (1918), 418; for the year of Harrison's visit, see H. S. B. Philby, *The heart of Arabia: a record of travel & exploration*, London 1922, 1:97).

¹⁰⁷ *Ibid.*, 297. ¹⁰⁸ *Ibid.*, 297f.

In the light of subsequent developments, the key question here is how seriously we should take Rihani's use of the word 'committee'. His use of the term 'delegation' (*wafd*) when he writes in Arabic does not suggest a formal group with a permanent membership; we may accordingly suspect that his choice of the term 'committee' in English was influenced by later events. There are indeed accounts which claim that the committees antedated the conquest of the Ḥijāz, but they are late;¹⁰⁹ and as we shall see, the evidence for Mecca following the conquest indicates the emergence of a new institution, rather than the transplantation of an existing one.

The Sa'ūdī conquest of the Ḥijāz, with its juxtaposition of Wahnābī puritanism and the laxer attitudes of the wider Muslim world, was a prescription for trouble. This was quickly evident from a serious confrontation which took place during the pilgrimage of 1344/1926 between the Wahnābīs and what they considered to be illegal music. As usual, the Egyptian soldiery were escorting their ceremonial palanquin (*maḥmal*) to the sound of bugles;¹¹⁰ suddenly they found themselves being attacked by Ibn Sa'ūd's most zealous troops, the Ikhwān. Such incidents, however, were nothing new,¹¹¹ and the considerable diplomatic reverberations of this one need not detain us.

It seems to have been continuing friction of a less dramatic kind that led to the emergence of a new institution in Mecca, the 'Committee for Commanding Right and Forbidding Wrong' (*Hay'at al-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*).¹¹² According to a narrative published many

¹⁰⁹ A. Al-Yassini, *Religion and state in the Kingdom of Saudi Arabia*, Boulder and London 1985, 68; Imām, *Uṣūl al-ḥisba*, 133f. The two accounts, which manifestly go back to a common source, contain details that can be confirmed from elsewhere, notably the role of the young 'Umar ibn Ḥasan (see above, note 103); but the biographical sources make no mention of the existence of the committees at that point. Yassini in turn attributes his information to interviews with the deputy director of the committees in Riḡāḍ in 1400/1980 (*Religion and state*, 145 n. 22), suggesting a degree of dependence on oral tradition.

¹¹⁰ See the contemporary account which appeared in the official Meccan newspaper *Umm al-qurā* (no. 78, 19 Dhū'l-Ḥijja, 1344/1926, 1a); here the bugles are presented as a form of military communication innocent of musical intent. By contrast, a slightly later foreign report speaks of a band, 'this time equipped with modern musical instruments' (see the American report from Aden of 17 August 1926 reproduced in I. al-Rashid (ed.), *Documents on the history of Saudi Arabia*, Salisbury, N.C. 1976, 2:80). For the curious objects known as *maḥmals*, see EI², art. 'Maḥmal' (F. Buhl and J. Jomier).

¹¹¹ For the burning of the Egyptian *maḥmal* by the Wahnābīs in 1221/1807, shortly after the first Sa'ūdī conquest of Mecca, see Daḥlān, *Khulāṣat al-kalām*, 294.31 (and cf. Snouck Hurgronje, *Mekka*, 1:152). Part at least of the friction was caused by the drums (*ṭabl*) and pipes (*zamr*) of the escort (Daḥlān, *Khulāṣat al-kalām*, 294.21, describing what had happened in the previous year; and see Jabartī, *'Ajā'ib al-āthār*, 6:362.4, 7:47.5).

¹¹² I follow the conventional rendering of *hay'a* as 'committee'; the term is clearly a modern Ottoman rather than a traditional Najdī usage. It is curious that there seems to have been no official attempt to present the new institution as a revival of the role of the *muhtasib*.

years later by Ibn Saʿūd's Egyptian retainer Ḥāfiẓ Wahba (d. 1387/1967), who played some part in the events, the object of the establishment of the committee was to check the aggressive behaviour of the Ikhwān towards the local Meccan population and, still more, the foreign pilgrims.¹¹³ (It was, of course, crucial for the threadbare finances of the Saʿūdī state in this period that the pilgrim traffic not be disrupted.) Wahba explains that the Ikhwān, uncouth Beduin as they were, had no idea how to behave in a civilised environment; each of them considered himself individually entitled to take up his stick and execute God's law against the hapless Meccans.¹¹⁴ This, in Wahba's view, rested on a doctrinal misapprehension, for the Prophetic injunction to take action against wrongs applied only in the time of the Prophet himself and such privileged ages; if it was open to anybody to take a stick to people today, the result would be anarchy.¹¹⁵ Eventually Ibn Saʿūd came round to Wahba's way of thinking, curbed the excesses of the Ikhwān, and appointed a judge (*qāḍī*) whose mandate was to deal with the problems their activities were giving rise to. In this way, says Wahba, the institution was born; though just how the appointment of the judge led to the birth of the institution is left unclear.

Contemporary sources indicate the first such institution to have been set up in Mecca early in 1345/1926. An announcement by the governor in *Umm al-qurā*, the local newspaper, reports royal approval of the selection by the judicial authorities (*ri'āsat al-qadā'*) of a committee (*hay'a*) to carry out the forbidding of wrong.¹¹⁶ It names the chairman of the committee,

In addition to the references to the system given in what follows, the increasing external interest in Saʿūdī Arabia since the First World War has led to a proliferation of accounts of Saʿūdī affairs which touch on the committees in a vague and general fashion. For several such accounts, see the references given by Layish in his discussion of the committees (A. Layish, 'Ulamā' and politics in Saudi Arabia', in M. Heper and R. Israeli (eds.), *Islam and politics in the modern Middle East*, New York 1984, 35f.; this discussion is useful for its citation of newspaper reports).

¹¹³ H. Wahba (d. 1387/1967), *Jazīrat al-'Arab fī 'l-qarn al-'ishrīn*, fourth edition, Cairo 1961, 309–12. This section was newly added to this edition (see the penultimate paragraph of Wahba's preface to it). The term he uses is *jamā'at al-amr bi'l-ma'rūf* (not *hay'a*; the same usage appears in the articles in *Umm al-qurā*, nos. 113–18, cited below, note 121, and in Bassām, 'Ulamā' Najd, 286.11). Wahba's memoirs are the sole source adduced by Goldrup for the establishment of the committees (L. P. Goldrup, 'Saudi Arabia: 1902–1932: the development of a Wahhabi society', University of California, Los Angeles, Ph.D. 1971, 402, 413 n. 19).

¹¹⁴ Wahba, *Jazīrat al-'Arab*, 310.12. He stresses that the Ikhwān could not behave in this fashion in al-Aḥsā'.

¹¹⁵ *Ibid.*, 311.17. Did Wahba really take this view at the time, or is he retrojecting a later Egyptian discussion of performance of the duty 'with the hand' (see below, ch. 18, 523–5)?

¹¹⁶ *Umm al-qurā*, no. 91, 3 Rabī' I, 1345 (= 10 September 1926), 2b. This is supported by the existence of a memorandum from Ibn Bulayhid (d. 1359/1940) to the king dated 20 Šafar, 1345/1926 in which he selects the first head of the committee in the Ḥijāz and some assistants for him ('Alī ibn Ḥasan al-Quranī, *al-Ḥisba fī 'l-mādī wa'l-hādīr*, Riyāḍ 1994, 728.3). For Ibn Bulayhid, see below, note 120.

his deputy, the secretary, and the rest of the members.¹¹⁷ As to the scope of the committee's duties, the announcement refers particularly to restraint of foul language and to prayer discipline, but offers nothing in the nature of a code. A British consular dispatch from Jedda, reporting the events of September 1926 (i.e. early 1345), likewise describes the formation of a committee 'to supervise morals, encourage collective prayers' and the like; surprisingly, it speaks of this as a 'fresh committee'.¹¹⁸ That this was nonetheless the first establishment of such a committee finds some support in an argument from silence: we dispose of several earlier reports showing Sa'ūdī concern with public morals in Mecca, but these reports make no reference to any committee.¹¹⁹ A few months after the establishment of the committee, a series of articles appeared in *Umm al-qurā* on the subject of forbidding wrong. The first was by Ibn Bulayhid (d. 1359/1940), a Najdī judge who was in charge of the judicial apparatus in Mecca in 1344–5/1926–7.¹²⁰ The other six were written on his instructions by the young Damascene scholar Muḥammad Bahjat al-Bayṭār (d. 1396/1976), then director of the Sa'ūdī Islamic Institute (*al-Ma'had al-Islāmī al-Su'ūdī*), for distribution to the members of the committee and others.¹²¹ There is a tendency in these articles to emphasise the role of the authorities; thus Ibn Bulayhid speaks

¹¹⁷ For somewhat later listings of the membership of the committee, see *Umm al-qurā*, no. 149, 26 Rabī' II, 1346/1927, 3b; Quranī, *Ḥisba*, 728.10, quoting a royal order of 18 Muḥarram, 1347/1928; *Umm al-qurā*, no. 238, 12 Ṣafar, 1348/1929, 2b.

¹¹⁸ Public Record Office, London, FO 371/11442, E 6016/367/91, report of N. Mayers dated 3 October 1926, f. 152, §34.

¹¹⁹ Thus in 1344/1925, a long official document setting out the duties of the police (*shurṭa*) was published in *Umm al-qurā* (no. 34, 30 Muḥarram, 1344/1925, 4a–d); among these duties were enforcing prayer discipline, arresting and imprisoning those who smoked in public, arresting those using foul language in public, and the like. Some months later the newspaper published an official code of public morals; the official responsible for its enforcement was in this case to be the governor (*Umm al-qurā*, no. 68, 10 Shawwāl, 1344/1926, 5d). (For this code, see Goldrup, 'Saudi Arabia', 407f.; its promulgation is also reported in a British consular dispatch, E 3198/367/91, report of Jordan dated 1 May 1926, f. 129, and in 'Notizie varie', *Oriente Moderno*, 6 (1926), 289, drawn to my attention by Maribel Fierro.) Likewise British consular reports for the period February to June 1926 make occasional references to Wahhābī efforts to enforce public morals, and to problems arising from these efforts, but again they make no mention of a committee in this connection (E 1919/367/91, report of S. R. Jordan dated 1 March 1926, ff. 2f., §16; E 3790/367/91, report of Jordan dated 1 June 1926, f. 132, §7; E 4434/367/91, report of Jordan dated 5 July 1926, f. 136, §9). A recurring theme in these reports is Wahhābī hostility to smoking.

¹²⁰ *Umm al-qurā*, no. 111, 24 Rajab, 1345/1927. For his career, see Āl al-Shaykh, *Mashābir*, 344.

¹²¹ See *Umm al-qurā*, no. 113, 8 Sha'bān, 1345/1927, 1a; the articles are found in nos. 113–18. Bayṭār states that his articles are mere compilations from works such as Ibn Taymiyya's *Ḥisba*; and indeed his examples of *munkar* include throwing snow onto the streets (no. 117, 8 Ramaḍān, 1345/1927, 2a; the source is clearly Ghazzālī, *Iḥyā'*, 2:310.29, a work from which Bayṭār drew extensively). For Bayṭār's background and career, see 'U. R. Kaḥḥāla, *al-Mustadrak 'alā Mu'jam al-mu'allifīn*, Beirut 1985, 614f.; 'A. al-Khaṭīb, *Muḥammad Bahjat al-Bayṭār: ḥayātuhu wa-āthāruhu*, Damascus 1976, esp. 15.

of the appointment of those who command and forbid,¹²² and Bayṭār insists on the limits of what the individual Muslim may do.¹²³

These contemporary sources also suggest two ways in which Wahba's account may be incomplete. First, they show that the Ikhwān were not the only troublemakers. In 1344/1926 a member of the Āl al-Shaykh, 'Abdallāh ibn Ḥasan (d. 1378/1959), pulled a cigarette from the mouth of an Egyptian chauffeur and set about him with a stick; this led to a fight between them, after which the authorities had the chauffeur flogged, resulting in his death.¹²⁴ Secondly, Ibn Bulayhid may have played a significant part in the developments that led to the establishment of the system. One of his biographers quotes from an epistle which he addressed to the Ikhwān. In the course of it he reproves them for their well-intentioned but misguided efforts – including verbal abuse and physical violence – to forbid wrong; he stresses that the duty is not for the ill-informed, and that individuals are not to encroach on the role of the authorities.¹²⁵

Whatever the exact circumstances of its origin, the institution was well established by 1347/1928f. In that year 'Abd al-Wahhāb Maẓhar, who was on the staff of the Sa'ūdī political agency in Cairo, published a short practical handbook for prospective pilgrims. In it he included a text promulgated by the committee which sets out, in twenty articles, the scope of the committee's activity.¹²⁶ The articles cover such matters as prayer-discipline,

¹²² *Umm al-qurā*, no. 111, 1a. ¹²³ *Ibid.*, no. 117, 1d.

¹²⁴ E 1919/367/91, report of Jordan dated 1 March 1926, ff. 2f., §16; and see E 6655/367/91, report of Mayers dated 3 November 1926, f. 158A, §24. Ibn Ḥanbal would not have been impressed (cf. above, ch. 5, note 164). For more sympathetic references to this cleric's zeal in *al-amr bi'l-ma'rūf*, see Āl al-Shaykh, *Mashāhīr*, 156.4, 162.7, and Bassām, 'Ulamā' Najd, 86.23. At the time he was *imām* and *khaṭīb* of the Holy Mosque; two years later he was appointed *qāḍī* of Mecca, to which was added the direction of *al-amr bi'l-ma'rūf* (*ibid.*, 83.25; Āl al-Shaykh, *Mashāhīr*, 154.9).

¹²⁵ Bassām, 'Ulamā' Najd, 545.12. See also above, note 116.

¹²⁶ 'Abd al-Wahhāb Maẓhar, *Murshid al-hājj*, Cairo 1347, 47–50. It was Nallino who drew attention to this text, translating it in his monograph on Saudi Arabia (C. A. Nallino, *L'Arabia Sa'ūdiana* (1938), in his *Raccolta di scritti editi e inediti*, Rome 1939–48, 1:100–2). A British consular dispatch reports the promulgation of this 'list of twenty-one rules of conduct' in August 1928 (E 4770/484/91, report of F. H. W. Stonehewer-Bird dated 31 August, 1928, ff. 177f., §8), and contains a version of what is clearly the same document, despite additions, omissions and transpositions (*ibid.*, f. 178; I am grateful to Mike Doran for supplying me with copies of this and other reports of Stonehewer-Bird). These regulations do not seem to have been promulgated in *Umm al-qurā*, although a report dating from this period (no. 191, 12 Rabi' I, 1347/1928, 2a) mentions the prospect of the addition of new articles to the existing code (*niẓām*); see also Qurānī, *Ḥisba*, 728.18. Another consular dispatch written the best part of a year earlier describes the 'new orders' issued by the 'Religious Committee' (E 5083/644/91, report of H. G. Jakins dated 6 November 1927, f. 192, §4); this description has a certain amount in common with Maẓhar's text, but seems to reflect a different document – again one that does not appear to have been published in *Umm al-qurā*.

liquor, smoking, the segregation of women, and the like. The final article is noteworthy in the context of the increasing officialisation of the duty: the headmen of quarters in the town are declared responsible for offences committed in their quarters, and would be deemed accomplices if they attempted to conceal them. He describes the committee as an official body made up of scholars and notables, both Ḥijāzī and Najdī.¹²⁷

Further information on the early history of the institution is provided by some British reports from Jedda dating from a slightly later period. These reports describe a swing from a soft line to a hard one and back which took place in late 1348/early 1930, and a similar shift in early 1350/the summer of 1931. During the first, one dispatch describes the confiscation of mouth organs from small boys in Jedda,¹²⁸ the street-urchins subsequently took their revenge by waylaying the president of the local committee and pelting him with melon rind – the only instance of open resistance to the activities of the committees that I have encountered.¹²⁹ In the second period, Ibn Sa‘ūd had been trying to move away from Wahhābī puritanism, and to cultivate the image of a monarch ‘who not only likes to see his people have a bit of fun, but is democratic enough to join in it’ (the reference is to his participation in a Najdī war-dance).¹³⁰ In this relaxed atmosphere the committees had apparently disappeared.¹³¹ Then, within a few months, the line shifted: the committees were reconstituted, and the war on vice took on a new lease of life. In addition to the traditional targets of the duty, we now encounter an instrument of music-making unknown to the Ḥanbalite law-books: the gramophone. Stocks of needles were seized, and it was said that as a result they could only be purchased from the police.¹³² Shortly after this a plaintive report was penned by the Indian vice-consul Munshi Ihsanullah

¹²⁷ Maẓhar, *Murshid al-ḥājj*, 47.9.

¹²⁸ For this and other dispatches, see P. Sluglett and M. Farouk-Sluglett, ‘The precarious monarchy: Britain, Abd al-Aziz ibn Saud and the establishment of the Kingdom of Hijaz, Najd and its Dependencies, 1925–32’, in T. Niblock (ed.), *State, society and economy in Saudi Arabia*, London 1982, 41f.

¹²⁹ E 2280/92/91, report of W. L. Bond dated 3 April 1930, f. 137, §10; I am indebted to Mike Doran for supplying me with a copy. I have not found evidence for the developments of this or the preceding year in *Umm al-qurā*.

¹³⁰ FO 371/15298, E 1600/1600/25, report of Sir Andrew Ryan dated 6 March 1931, f. 146, §8. I am indebted to Yitzhak Nakash for supplying me with copies of this document and those cited in the following notes.

¹³¹ *Ibid.*, E 4167/1600/25, report of Sir Andrew Ryan dated 12 July 1931, f. 188, §6. According to Munshi Ihsanullah, the Indian vice-consul attached to the Legation in Jedda, the committee in Mecca had in fact been abolished (*ibid.*, E 4597, report dated 14 August 1931, f. 197, §1).

¹³² See Ryan’s report cited in the previous note. The gramophone appears already in consular dispatches for 1347/1928; thus at one stage Christian owners of gramophones in Jedda were permitted to play them, but not to replace them when worn out (E 4286/484/91, report of Stonehewer-Bird dated 3 August 1928, f. 172, §12).

after his return from a visit to Mecca.¹³³ He was greatly disturbed by the shift of power from local to Najdī hands. Previously, he suggests, the committee had been something of a body of notables, where local figures would exercise a moderating influence, and in particular ensure that the well-to-do were properly treated; now, he reports, the committee had been given summary powers, and it was backed by groups of Najdī soldiers – twenty to a quarter, 260 in all – whose savage approach to prayer-discipline he found particularly appalling.¹³⁴

I have not attempted to follow the later history of the committee system in detail. It seems that after its establishment in Mecca, it was rapidly extended to the rest of the Saʿūdī state.¹³⁵ We have already encountered

¹³³ This report is cited above, note 131. Some of its finest passages are quoted in J. S. Habib, *Ibn Saʿūd's warriors of Islam: the Ikhwan of Najd and their role in the creation of the Saʿūdī kingdom, 1910–30*, Leiden 1978, 119f. But note that the number of the document is E 4597 (not E 4957, as stated *ibid.*, 120 n. 39), and that what it describes is not the launching of the committee but its revival (cf. *ibid.*, 119).

¹³⁴ See Munshi Ihsanullah's report cited above, note 131, ff. 197f., §2, partially reproduced by Habib. I have not found much discussion of *al-amr bi'l-ma'rūf* in *Umm al-qurā* in this period. In a speech reported in 1350/1931, Ibn Saʿūd stresses to the Meccans the importance of the duty, and requests their cooperation in executing it – for it is the Meccans, as the proverb has it, who know best the streets of their town (*ahl Makka adrā bi-shi'ābihā*) (*Umm al-qurā*, no. 338, 18 Muḥarram, 1350/1931, 1c).

¹³⁵ Goldrup states that the committee system was extended to the towns of the Ḥijāz within a few months of its establishment, albeit without citing supporting evidence ('Saudi Arabia', 409). Elsewhere he quotes a document showing that a committee was indeed in place in Medina as early as Rabīʿ II, 1346/1927 (*ibid.*, 402, citing H. Wahba (d. 1387/1967), *Khamsūn ʿāman fī jazīrat al-ʿArab*, Cairo 1960, 271.4, and cf. *ibid.*, 269.3). He also cites a report which appeared about a year later in *Umm al-qurā* (Goldrup, 'Saudi Arabia', 409, citing *Umm al-qurā*, no. 191, 12 Rabīʿ I, 1347/1928). This report refers generally to the committees whose establishment had long before been ordered by the king in the Ḥijāz at large (*fī ʿumūm al-buldān al-Ḥijāziyya*), praising their activities but at the same time discussing plans for reforming them (*ibid.*, 1a–d); it goes on to mention one in Jedda (*ibid.*, 2a). A British consular dispatch adds the detail that the president of the latter committee was 'a young man of notoriously loose morals' (E 4770/484/91, report of Stonehewer-Bird dated 31 August 1928, f. 178, §8; an earlier instance of such a mismatch is noted in M. J. R. Sedgwick, 'Saudi Sufis: compromise in the Hijaz, 1925–40', *Die Welt des Islams*, 37 (1997), 359). There is a further reference to the committee in Jedda a few months later (*Umm al-qurā*, no. 214, 21 Shaʿbān, 1347/1929, 2b). In the same year Maẓhar speaks of the committee (in the singular) as having been established in the entire Ḥijāz (*Mursbid al-ḥājj*, 47.7). Goldrup states that by the summer of 1348/1929 a directorate had been established in Riyāḍ responsible for all the committees in the country ('Saudi Arabia', 409f.). However, the report in *Umm al-qurā* that he cites as his source (no. 241, 26 Šafar, 1348/1929, 1b) does not bear him out; it does document the establishment of an official organisation for the execution of the duty in Riyāḍ itself (though without using the term *hayʿa*), and it refers in general terms to similar activity throughout the kingdom. Contrast the statement of the Saʿūdī biographers that ʿUmar ibn Ḥasan was put in charge of the committee(s) in Najd in 1345/1926f. (Āl al-Shaykh, *Mashāḥir*, 17.20; Bassām, *ʿUlamāʾ Najd*, 742.23, adding the Eastern Region). According to Nallino, who spent several weeks in Jedda in 1356–7/1938, there were committees in all cities of the kingdom (Nallino, *L'Arabia Saʿūdiana*, 100).

it in Jedda. The biographies of Saʿūdī scholars show them heading such committees in the Ḥijāz,¹³⁶ and they also attest their tenure of such office in Najd and al-Aḥsāʾ.¹³⁷ Thus by 1394/1974f., ʿUmar ibn Ḥasan (d. 1395/1975) bore the magnificent title of ‘General Director of the Committees for Commanding Right in Najd, the Eastern Region and the Tapline’.¹³⁸ There has also been a move towards greater centralisation. Until 1396/1976, there were two mutually independent directorates, one in the Ḥijāz and the other in Najd;¹³⁹ in that year they were amalgamated into a unitary structure under a general director with the rank of cabinet minister.¹⁴⁰ Nor does the institution seem to have remained confined to urban settings: we hear of the existence of a committee in a village in the southern Ḥijāz with a population of 1,600 souls.¹⁴¹

This persistence and spread are striking. If the system was indeed the invention of the secular-minded Egyptian Ḥāfiẓ Wahba, then all one can say is that from his point of view it did not turn out to be a very felicitous one.¹⁴² As we have seen, the institution did not work well as a buffer between Najdī fanaticism and the laxity of the Ḥijāzīs and the pilgrims. As first established, the original Meccan committee had about twice as many Meccan as Najdī members.¹⁴³ Yet this initially favourable balance was easily upset when the winds blew from the east. The very fact that the system outlived the Ikhwān shows that it had acquired effective support in other quarters.

How are we to interpret this survival? One line of thought, perhaps now abandoned in the face of recent developments, tended to see a process of emasculation at work as a result of bureaucratisation. Thus it was plausibly suggested that the system had tended to atrophy through the restriction

¹³⁶ Āl al-Shaykh, *Mashāḥir*, 415.13, 514.14, and cf. 120.17; Bassām, ‘*Ulamāʾ Najd*’, 91 no. 7, 590 nos. 5 and 9, and cf. 286.11, 644.17, 891.11.

¹³⁷ Āl al-Shaykh, *Mashāḥir*, 409.15, and cf. above, note 135. For the role of the committee in Qaṭīf and al-Aḥsāʾ in curtailing the public display of Shīʿism, see Ḥamza al-Ḥasan, *al-Shīʿa fī ʿl-Mamlaka al-ʿArabiyya al-Suʿūdiyya*, n.p. 1993, 2:398, and 415f. n. 30 (I owe this reference to Yitzhak Nakash).

¹³⁸ Āl al-Shaykh, *Mashāḥir*, 15.8, and cf. 18.5. Most of the references to this work given in this and notes 136f. are found in Layish, ‘*ʿUlamāʾ* and politics in Saudi Arabia’, 58 n. 19, 61 n. 93. ¹³⁹ So Imām, *Uṣūl al-ḥisba*, 135, 140f.

¹⁴⁰ Qurānī, *Ḥisba*, 731.3 (quoting the text of the royal decree, and mentioning the appointment of a general director with the rank of minister which followed). According to Imām, the general director was given the status of minister in 1400/1980 (*Uṣūl al-ḥisba*, 142); Yassini, however, is in line with Qurānī in dating this event to 1396/1976 (*Religion and state*, 70).

¹⁴¹ See ʿA. Shukrī, *Baʿd malāmih al-tagħayyur al-ijtimāʿī al-thaqāfī fī ʿl-waṭan al-ʿArabī*, Cairo 1979, 76, and, for the population, *ibid.*, 65 (drawn to my attention by Frank Stewart). See also Qurānī, *Ḥisba*, 739.12, 760.5.

¹⁴² A British consular dispatch of 1347/1928 states that Wahba was strongly opposed to the committees (E 4956/484/91, report of Stonehewer-Bird dated 30 September 1928, f. 181, §4). ¹⁴³ See *Umm al-qurā*, no. 91, 3 Rabiʿ I, 1345/1926, 2b.

of the scope of its activities and the curtailment of its powers¹⁴⁴ – processes which could be seen as an aspect of the general bureaucratisation of the role of the religious scholars in the modern Sa‘ūdī state.¹⁴⁵ At first sight it would go well with this that the institution received only the most cursory mention in the constitutional document issued by the Sa‘ūdī government in 1412/1992.¹⁴⁶ But another view, perhaps more prevalent today, is that the system, by entrenching forces of moral puritanism which might have dissipated long ago in a more secular climate, has provided the rising tide of Muslim fundamentalism with an institutional base.¹⁴⁷ In the absence of detailed information about the way the system works, all this remains fairly speculative.

Two relatively recent works do, however, shed some light on the activities of the committees. One is a book by a Wahhābī author on forbidding wrong.¹⁴⁸ Its significance in the present context is that it quotes from the

¹⁴⁴ Qurānī laments that the role of the committees from the 1380s/1960s on was not what it had been, and gives a long list of their previous functions (*Ḥisba*, 734.2); he mentions that they formerly had their own jails (*ibid.*, 735.9). See also Imām, *Uṣūl al-ḥisba*, 135f., 141; Yassini, *Religion and state*, 70; Layish, ‘*Ulamā’* and politics in Saudi Arabia’, 53f. (but cf. 55).

¹⁴⁵ Yassini, *Religion and state*, 67, 78f. However, not all Sa‘ūdī scholars were caught up in this process, see Layish, ‘*Ulamā’* and politics in Saudi Arabia’, 32.

¹⁴⁶ This document, entitled *al-Nizām al-asāsī lil-ḥukm*, was published in the London paper *al-Sharq al-awsaṭ* on 2 March 1992; I am indebted to Sadik Al-Azm for showing me a copy. The reference to the state’s performance of *al-amr bi’l-ma’rūf* comes in Article 23 (*ibid.*, 4b). See also F. G. Gause, *Oil monarchies*, New York 1994, 106 (and cf. *ibid.*, 96, 111).

¹⁴⁷ So the article ‘Everywhere in Saudi Arabia, Islam is watching’ by Chris Hedges in *The New York Times*, 6 January 1993, A4. In this context we hear of oscillations in the level of activity of the committees reminiscent of those that characterised their early history. For an analysis of such a swing, see the anonymous article ‘Fakhkh maṣṣūb wa-taṣfiya damawīyya qādimal’ which appeared in *al-Jazīra al-‘Arabiyya*, no. 13, February 1992 (this monthly was published by the Sa‘ūdī Shī‘ite opposition in London; I am indebted to Yitzhak Nakash for sending me a copy of the article).

¹⁴⁸ Khālid ibn ‘Uthmān al-Sabt, *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, London 1995. This work was drawn to my attention by Bernard Haykel and Harry Bone; Nurit Tsafir sent me a copy. No biographical information is given about the author, but it is clear that he is firmly located in a conservative Wahhābī tradition. Although he draws on a wide range of Sunnī literature, he makes frequent use of Ḥanbalite sources; for example, he gives references to Ibn Muflīḥ (d. 763/1362) (as *ibid.*, 274 n. 4) and Buhūṭī (d. 1051/1641) (*ibid.*, 342 n. 2). He has a particular penchant for Wahhābī sources. Thus he invokes Ibn ‘Abd al-Wahhāb himself, quoting from two of his letters (*ibid.*, 191.14), and gives many references to Ibn Qāsim’s collection *al-Durar al-saniyya* (see, for example, Sabt, *Amr*, 175 n. 1, 191 n. 1, 266 n. 1). Likewise no non-Wahhābī would quote the epistles of Ḥamad ibn ‘Atīq (*ibid.*, 57.9, 193.8, 266.18; for Ḥamad ibn ‘Atīq, see above, note 89). And as will be seen, one of his favourite sources is the responsa of Muḥammad ibn Ibrāhīm Āl al-Shaykh, a conservative Wahhābī authority (*ibid.*, 34–41, 222.5, 227.3, 273.8, 313.14, 314.3, 314.18, 340.8, 341.9, 345.8). On the other hand, our author does not seem to be close to the Sa‘ūdī dynasty; he never mentions the monarchy, and his book was published in London. Overall the work is rather bland, and his own references to the committees elsewhere in the volume (*ibid.*, 141.7, 367 no. 11) are supportive but uninteresting.

responsa of Muḥammad ibn Ibrāhīm Āl al-Shaykh (d. 1389/1969).¹⁴⁹ The most striking theme in these responsa, though a hardly surprising one, is the vein of hostility to which the activities of the committees give rise. A Meccan judge had allowed a man accused of drunkenness to attack the credibility of the testimony of the committee members; Ibn Ibrāhīm roundly condemns the judge.¹⁵⁰ Where members of committees have been over-zealous in the performance of their duties, he enjoins leniency; they have enemies among the reprobate who would be unduly encouraged if such lapses were dealt with severely.¹⁵¹ Where members of committees go astray, they should be discharged only if they can be replaced with others known to be of better character.¹⁵² In a case from Jedda involving serious sexual misconduct, the main informant had disappeared, leaving three witnesses among the committee members liable to the penalty for defamation (*qadhf*); Ibn Ibrāhīm rescues them by finding a loophole in the law, urging that to impose the prescribed penalty would diminish their authority in carrying out the duty.¹⁵³ This apart, these responsa do not have very much to tell us. We learn of a novel offence: the committee in Zilfī was concerning itself with young men who made it a practice to ride out into the countryside at night on their motorcycles.¹⁵⁴ A responsum dealing with the organisation of the committees states that they should be divided into three sections: one to patrol the markets and streets and arrest (but not beat) offenders; one responsible for the judicial process; and one charged with carrying out punishments.¹⁵⁵ There is, of course, no saying how far such a division of labour was ever realised in practice.

The other recent work that provides some concrete detail on the activities of the committees is a voluminous treatise on the institution of the censorship (*ḥisba*) in Islam by ‘Alī ibn Ḥasan al-Quranī. He includes a sympathetic study of the Sa‘ūdī committee system,¹⁵⁶ in the course of which he devotes some pages to its present functioning.¹⁵⁷ In particular,

¹⁴⁹ *Ibid.*, 34–41, 319f., 345–7. I do not have access to the work from which Sabt is quoting; it seems to be a collection of the responsa of Ibn Ibrāhīm in at least twelve volumes (*ibid.*, 40 n. 1, 41 n. 1). Muḥammad ibn Ibrāhīm, a grandson of ‘Abd al-Laṭīf ibn ‘Abd al-Raḥmān ibn Ḥasan, was Muftī of Saudi Arabia (*muftī ‘l-dīyār al-Su‘ūdiyya*) and in charge of the judicial apparatus (Āl al-Shaykh, *Mashāḥir*, 169.4).

¹⁵⁰ Sabt, *Amr*, 34.15. He accords no such immunity to the police (*ibid.*, 36.5).

¹⁵¹ *Ibid.*, 37.10. ¹⁵² *Ibid.*, 40.4. ¹⁵³ *Ibid.*, 40.15. ¹⁵⁴ *Ibid.*, 319.13.

¹⁵⁵ *Ibid.*, 345.16. ¹⁵⁶ Quranī, *Ḥisba*, 721–71.

¹⁵⁷ *Ibid.*, 735–51. Quranī had some access to documents and files (*ibid.*, 741.6), interviewed a high official in the organisation in 1410/1990 (*ibid.*, 753.19), was enabled to observe the activities of the Riyāḍ committee in the same year (*ibid.*, 758.3), and submitted legal questions on the institution to ‘Abd al-‘Azīz ibn Bāz (d. 1420/1999) (*ibid.*, 865–77). As might be expected, he has all the right attitudes; for example, he would like to see the committees have their own jails again (*ibid.*, 771.13). His treatise

he gives an account of some of the offences encountered by the committee in Riyāḍ in 1404/1984. One was sodomy; the offenders were Filipinos in one case, Sri Lankan and British in another, but not, it seems, Sa'ūdī. Two Sa'ūdīs, however, were furtively engaged in pushing Eau de Cologne among young people. Another was peddling liquor (*'araq*) together with two Yemenis; they were also found to have 2,555 forbidden pills in their possession. Four Yemenis had 3,773 Seconal pills. A young Sa'ūdī picked up in an unusual state was found to have been sipping paint. A mixed group of Sa'ūdīs and Yemenis had been producing liquor; the plant was raided and destroyed.¹⁵⁸ The pattern of wrongdoing in Riyāḍ in 1404/1984 was obviously not lacking in either variety or ethnic diversity.

As might be expected, there is little direct evidence of the practice of forbidding wrong outside this official framework.¹⁵⁹ The striking exception is 'Abdallāh al-Qar'āwī (d. 1389/1969) of 'Unayza, a pupil of Ibn Ibrāhīm. One of his biographers, who owed his elementary education to Qar'āwī, describes his teacher's activities in the town. In the course of forbidding wrong, he would roam the streets and markets, belabouring with his tongue and stick any man who held back from communal prayer, and any woman whose dress flaunted her sexuality; there is no indication that he did this in an official capacity.¹⁶⁰ Another biographer describes how, in the years after 1358/1940, Qar'āwī mounted a large-scale (and officially approved) campaign to spread education in the extreme south-west of the country; he recounted in 1367/1948 how on Thursday evenings he would take his senior students out to visit the tribes to preach, instruct and forbid wrong, supervising his students' efforts and showing them how to perform the duty nicely.¹⁶¹ But Qar'āwī seems to have been an unusual figure.

5. CONCLUSION

In Arabia, as in the Fertile Crescent, the expanding bureaucracy of the modern state meant the end of Ḥanbalite history as we have known it in this study. But where the reformed Ottoman state and its successors effectively destroyed the traditional role of the Ḥanbalite scholars, either

seems to have originated in a doctoral dissertation submitted to the University of Medina (*ibid.*, 15.3). ¹⁵⁸ *Ibid.*, 744.2. Seconal sodium is a sedative drug.

¹⁵⁹ A scholar of Ḥā'il who died in 1391/1971 is still described in the traditional way as *āmir bi'l-ma'rūf nāhī 'an al-munkar* (Āl al-Shaykh, *Mashāhīr*, 427.10).

¹⁶⁰ Bassām, '*Ulamā' Najd*', 631.20.

¹⁶¹ Āl al-Shaykh, *Mashāhīr*, 423.13; see also Bassām, '*Ulamā' Najd*', 632.4. For the close connection between religious instruction and *al-amr bi'l-ma'rūf*, compare Habib, *Ibn Sa'ud's warriors*, 133f.

absorbing them as individuals or pushing them aside, the rise of the modern state in Saʿūdī Arabia preserved that role by a kind of ossification, turning the scholars into an appanage, though not always a docile one, of the state bureaucracy.

These different outcomes were not arbitrary. What happened in the Fertile Crescent is in part a reflection of the position of the Ḥanbalites in the region since the fall of the ʿAbbāsīd caliphate. They were a minority community, and one which, if not strongly alienated from political power, was far from identified with it. The Arabian development, by contrast, rests on the paradoxical emergence of a Ḥanbalite state within a solidly Ḥanbalite society, and one whose Ḥanbalite doctrine, refracted through the thought of Ibn Taymiyya, provided it with its *raison d'être*.¹⁶²

Yet in Arabia, as in the Fertile Crescent, the tradition that we owe to Ibn Ḥanbal has effectively come to an end. Few things illustrate this more poignantly than the transformation of his strongly apolitical and individual doctrine of forbidding wrong into a bureaucratic function, discharged by a set of Committees for Commanding Right and Forbidding Wrong under the supervision of a general director with ministerial rank. The irony of this development is unlikely to be diminished should the system be reinvigorated by fundamentalist revolution.¹⁶³

¹⁶² It is noteworthy that traditional Saʿūdī scholars did not cite the views of Ibn Ḥanbal himself on the matters considered in this chapter. (I owe this observation to a question put to me by Nimrod Hurvitz.)

¹⁶³ What would a fundamentalist reform of the committees look like? Unfortunately the tract on *al-amr bi'l-ma'rūf* by Juḥaymān al-ʿUṭaybī (d. 1400/1980), the leader of the group that seized the Meccan sanctuary in 1400/1979, is largely what it claims to be, namely an abridgement of Ibn Taymiyya's tract on the subject (*Rasā'il Juḥaymān al-ʿUṭaybī qā'id al-muqtaḥimīn lil-Masjid al-Ḥarām bi-Makka*, ed. R. S. Aḥmad, Cairo 1988, 349–85). Even the introductory material (*ibid.*, 349–61) contains nothing of interest for the contemporary scene.

PART III



THE MU‘TAZILITES AND SHĪ‘ITES

CHAPTER 9

THE MU‘TAZILITES

1. INTRODUCTION

If the bias of Ḥanbalite thinking was towards the concrete, that of Mu‘tazilite thought was towards the abstract. This, in the end, was to carry a certain cost. Whatever may have been the case in the early history of the school, it was becoming clear by the fourth/tenth century that Mu‘tazilism could not make a Muslim. Instead it came to function as one element in a package, playing the part of a tradition of abstract scholastic thought that could be combined with a variety of other allegiances. One could be a Ḥanafī Mu‘tazilite, a Zaydī Mu‘tazilite, an Imāmī Mu‘tazilite – even a Jewish Mu‘tazilite. In these various symbioses, Mu‘tazilism tended to represent something between a systematic body of substantive scholastic doctrine and an intellectual technique which, as we have seen, even the Ḥanbalites were eventually to find irresistible.

Mu‘tazilism thus tended to become a tradition of socially and politically disembodied intellection. One implication of this is that we are unlikely to be very successful in linking the content of classical Mu‘tazilite doctrines to the concrete historical environments in which they flourished. I shall accordingly make no attempt to do for Mu‘tazilism what I did for Ḥanbalism; instead, what lies ahead is the history of ideas in a distinctly narrow sense. There will still be points at which we can link intellectual history to less cerebral realities, but they will be few and far between. We might hope that the situation would be different in the case of early Mu‘tazilism; but unfortunately we know too little about its views on forbidding wrong to have much sense of what we are missing.

The symbiosis of originally distinct religious traditions in the classical packages also poses an organisational problem for this study. The course I shall take in this part of the book is as follows. In the present chapter, I shall be broadly concerned with Mu‘tazilism as such. After surveying the

little we know of early Mu‘tazilite doctrines of forbidding wrong, I shall discuss in some detail the classical doctrines of the fourth/tenth century and later, regarding a few of which we are relatively well informed. In principle I shall not be concerned here with Zaydī or Imāmī Mu‘tazilism as phenomena in their own right, though in practice I shall cross the border from time to time. The two following chapters will be devoted to the Zaydīs and Imāmīs respectively. In each case I shall begin with the pre-Mu‘tazilite phase of sectarian thought, and go on to the history of the Mu‘tazilite tradition in the sect.

2. EARLY MU‘TAZILITE DOCTRINE

If we take the Mu‘tazilite school to have been founded by the Baṣrans Wāṣil ibn ‘Aṭā’ (d. 131/748f.) and ‘Amr ibn ‘Ubayd (d. 144/761), then its origins go back to the early second/eighth century. The earliest Mu‘tazilite author to have left us a systematic and substantial account of forbidding wrong, the Zaydī ‘Alid Mānkḏīm (d. 425/1034), lived in northern Iran some three centuries later. This means that, for the first three hundred years of the movement, our material is fragmentary or summary at best. But it does raise some points of interest.

Forbidding wrong is, of course, one of the celebrated ‘five principles’ (*al-uṣūl al-khamsa*) of Mu‘tazilism. However, there is no agreement among modern scholars as to the antiquity of this pentad.¹ Such uncertainty need not call in question the assumption that forbidding wrong was a Mu‘tazilite precept from the beginning; given its prominence in the Koran, and in early Islamic thought in general, it would be surprising if it had not been. What is missing is specific evidence of the conception of the duty entertained in the time of Wāṣil and ‘Amr. It has been linked to early Mu‘tazilite missionary activity,² and this derives a hint of support from its appearance in a poem of Ṣafwān al-Anṣārī (fl. later second/eighth century) describing the emissaries (*du‘āt*) sent out by Wāṣil ibn ‘Aṭā’.³ It has been connected with movements of local autonomy.⁴ And not least, it has been

¹ Contrast the positive judgement of Madelung (*Qāsim*, 7) with the sceptical view of van Ess (J. van Ess, *Une lecture à rebours de l’histoire du Mu‘tazilisme*, Paris 1984, 56; *Theologie*, 2:273). ² Madelung, *Qāsim*, 16; van Ess, *Lecture*, 125; van Ess, *Theologie*, 2:387.

³ Jāhīz, *Bayān*, 26.8 (noted in van Ess, *Theologie*, 2:387). The duty is paired in the same line with ‘fortifying God’s religion against every infidel’. The poem, first brought into play by H. S. Nyberg (*The Encyclopaedia of Islam*, first edition, Leiden and London 1913–38, art. ‘Mu‘tazila’, cols. 789a, 790a), is translated in W. M. Watt, ‘Was Wāṣil a Khārijite?’, in R. Gramlich (ed.), *Islamwissenschaftliche Abhandlungen: Fritz Meier zum sechzigsten Geburtstag*, Wiesbaden 1974, 310f., and most recently in van Ess, *Theologie*, 5:183f.; and see *ibid.*, 2:382–7. ⁴ Van Ess, *Lecture*, 103, 123, 127.

linked to rebellion against unjust rule.⁵ This old allegation⁶ is plausible, and it resonates with some of what the sources tell us about ‘Amr ibn ‘Ubayd. Thus ‘Amr is reported to have said that the traditionists (*hā’ulā’i ‘l-ḥashw*) were the ruin of the religion; they were the ones who held people back from standing up for justice (*al-qiyām bi’l-qist*) and commanding right.⁷ There is also the story transmitted by Kūfan traditionists that ‘Amr wrote to the Kūfan Ibn Shubruma (d. 144/761f.) urging him to forbid wrong, or reproaching him for not doing so; it may be significant that Ibn Shubruma’s reply makes a point of saying that commanding right is not to be undertaken by taking up the sword against the authorities.⁸ However, no explicit mention of rebellion is ascribed here to ‘Amr, and Ibn Shubruma’s reference to it is only indirect evidence of what ‘Amr believed.

Once we reach the late second/eighth and early third/ninth century, we have credible reports that a few Mu‘tazilite authors wrote on our topic: Abū Bakr al-Aṣamm (d. 200/815f.),⁹ Ja‘far ibn Mubashshir (d. 234/848f.),¹⁰ and presumably Hishām al-Fuwaṭī (d. c. 230/844) in his work on the ‘five principles’;¹¹ other such reports are late and unreliable.¹² But we know almost nothing of actual Mu‘tazilite views in this period. The heresiographer Ash‘arī (d. 324/935f.) tells us that Aṣamm stood outside the consensus of

⁵ Madelung, *Qāsim*, 16, and cf. 18; W. M. Watt, *The formative period of Islamic thought*, Edinburgh 1973, 212, 231; van Ess, *Theologie*, 2:390, and cf. 4:675, 704.

⁶ It appears in Ibn Taymiyya, *Amr*, 20.8; cf. also Mubarrad, *Kāmil*, 561.3.

⁷ ‘Abd al-Jabbār ibn Aḥmad (d. 415/1025), *Faḍl al-i‘tizāl wa-ṭabaqāt al-Mu‘tazila*, ed. F. Sayyid, Tunis 1974, 242.16 (cited in van Ess, *Lecture*, 123 n. 5, and van Ess, *Theologie*, 2:287). ‘Amr likewise held nothing to be more meritorious than standing up for justice (*al-qiyām bi’l-qist*) and being killed for it (Ṭūsī, *Tibyan*, 2:422.18 (to Q3:21), cited in van Ess, *Theologie*, 2:287, 5:166; though there is no explicit reference to *al-amr bi’l-ma‘rūf* here, this is the context in which Ṭūsī adduces it, cf. below, note 36). This saying is also quoted by al-Ḥākim al-Jishumī (d. 494/1101) in his Koran commentary to Q3:21 (see Zarzūr, *al-Ḥākim al-Jishumī*, 195.4). For the phrase *al-qiyām bi’l-qist*, cf. Q4:135.

⁸ See above, ch. 4, notes 44, 226. ‘Amr’s exhortation is noted by van Ess (*Theologie*, 2:286, 390).

⁹ J. W. Fück, ‘Some hitherto unpublished texts on the Mu‘tazilite movement from Ibn al-Nadīm’s *Kitāb-al-Fihrist*’, in S. M. Abdullah (ed.), *Professor Muḥammad Shafī‘ presentation volume*, Lahore 1955, 68.8, cited in *ET*, *Supplement*, art. ‘Aṣamm’, 89a (J. van Ess), and cf. van Ess, *Theologie*, 5:193 no. 12, and *ibid.*, 2:409 n. 5.

¹⁰ Khayyāt (d. c. 300/912), *Intiṣār*, ed. and trans. A. N. Nader, Beirut 1957, 63.14 = 74; Fück, ‘Some hitherto unpublished texts’, 64.10; van Ess, *Theologie*, 6:274 no. 8.

¹¹ Fück, ‘Some hitherto unpublished texts’, 69.3 (*Kitāb uṣūl al-khams*); van Ess, *Theologie*, 6:222 no. 1.

¹² The report that Abū ‘l-Hudhayl (d. 227/841f?) wrote on the ‘five principles’ (cf. D. Gimaret, ‘Les *Uṣūl al-ḥamsa* du Qādī ‘Abd al-Gabbār et leurs commentaires’, *Annales Islamologiques*, 15 (1979), 68 n. 1), and so presumably on *al-amr bi’l-ma‘rūf*, is probably to be discounted (see van Ess, *Lecture*, 56, and van Ess, *Theologie*, 3:223). That Ja‘far ibn Ḥarb (d. 236/850f.) did so (cf. Gimaret, ‘Les *Uṣūl al-ḥamsa*’, 68, n. 1) is also unlikely (see W. Madelung, ‘Frühe mu‘tazilitische Häresiographie: das *Kitāb al-Uṣūl* des Ġa‘far b. Ḥarb?’, *Der Islam*, 57 (1980), 227; van Ess, *Theologie*, 6:288 no. 4).

the Mu‘tazilites, who consider forbidding wrong to be obligatory – provided they are able to perform it (*ma‘a ’l-imkān wa’l-quḍra*) – with the tongue, hand and sword, in whatever way they are able to effect it.¹³ However, he neglects to specify the nature of Aṣamm’s dissent;¹⁴ it is doubtless to be linked to a report that he wrote a work directed against ‘those who favour the sword’.¹⁵ With this quietism we may contrast the attitude of Sahl ibn Salāma, who in 201/817 was prepared to fight anyone in performance of the duty, irrespective of whether he was a ruler or not.¹⁶

Our information is slightly better for the later third/ninth and early fourth/tenth centuries. The earliest surviving work of Mu‘tazilite doctrine, a polemical tract by Khayyāt (d. c. 300/912),¹⁷ offers a definition of Mu‘tazilism in terms of adherence to the ‘five principles’, with forbidding wrong listed in its classical fifth place.¹⁸ From roughly the same period comes our oldest heresiographical account of the Mu‘tazilite doctrine of forbidding wrong, the formulation of the ex-Mu‘tazilite Ash‘arī already adduced in connection with Aṣamm; he too lists the ‘five principles’.¹⁹ Mas‘ūdī (d. 345/956), who may or may not have been a Mu‘tazilite himself,²⁰ gives a brief account of Mu‘tazilite doctrine: forbidding wrong is obligatory if one has the ability (*istiṭā‘a*) to perform it, by the sword and by less drastic means.²¹ He likewise lists the ‘five principles’, defining

¹³ Ash‘arī, *Maqālāt*, 278.7, translated in van Ess, *Theologie*, 5:198 no. 13.

¹⁴ According to Ibn Ḥazm, he believed that *al-amr bi’l-ma‘rūf* is not to be performed by deed (including recourse to arms) (*Fīṣal*, 4:171.10, translated in van Ess, *Theologie*, 5:198 no. 14, and cf. *ibid.*, 2:409; the passage is also adduced by van Ess in *ET*², *Supplement*, art. ‘Aṣamm’, 89a, where the suggestion that Aṣamm based his view on a deviant exegesis of Q3:104 seems unfounded). However, Ibn Ḥazm’s presentation brackets Aṣamm with too wide a spectrum of quietist thought (from Ibn Ḥanbal to the Rāfiḍa, both of whom are misrepresented) for us to be able to put much weight on it.

¹⁵ For this *Kitāb al-radd ‘alā man qāla bi’l-sayf*, see Fück, ‘Some hitherto unpublished texts’, 68.13, and cf. van Ess, *Theologie*, 2:409 and 5:193 no. 15. As noted by van Ess, Aṣamm held with the sword in the context of hostilities against the *ahl al-baḡhy* under the leadership of a just imam about whom there is consensus (*ibid.*, 2:409 and 5:207 no. 31, citing and translating Ash‘arī, *Maqālāt*, 451.12). Cf. also below, note 63.

¹⁶ See above, ch. 5, notes 173f., 192.

¹⁷ See *ET*², art. ‘al-Khayyāt’ (J. van Ess); van Ess, *Lecture*, 6f.

¹⁸ Khayyāt, *Intiṣār*, 93.2 = 115 (cited in van Ess, *Lecture*, 56 n. 4).

¹⁹ Ash‘arī, *Maqālāt*, 278.10, concluding Ash‘arī’s survey of Mu‘tazilism. In the thematic survey that constitutes the latter part of Ash‘arī’s doxography, the account of *al-amr bi’l-ma‘rūf* deals only with quietist views disallowing the use of the sword, and makes no mention of the Mu‘tazilites (*ibid.*, 452.3); but he includes the Mu‘tazilites among those approving the use of the sword in general (*ibid.*, 451.4), and sets out the conditions under which they hold with rebellion against (unjust) rule (*ibid.*, 466.5).

²⁰ See A. M. H. Shboul, *Al-Mas‘ūdī & his world*, London 1979, 38f.

²¹ Mas‘ūdī (d. 345/956), *Murūj al-dhahab*, ed. C. Pellat, Beirut 1965–74, 4:59 §2,256. He adds that the duty is like *jihād* in that there is no distinction between fighting the infidel and fighting the reprobate (*mujāhadat al-kāfir wa’l-fāsiq*).

Mu‘tazilism in terms of acceptance of them.²² We also possess occasional opinions on specific questions attributed to Abū ‘l-Qāsim al-Balkhī, alias Ka‘bī (d. 319/931). Thus he holds that recourse to arms is permitted to subjects solely in the absence of a ruler (*imām*) or of someone appointed by him; if there is a ruler, recourse to arms is allowable only under conditions of overriding necessity (*ḍarūra*).²³ One reason this is interesting is that Abū ‘l-Qāsim belonged to the Baghdādī – as opposed to the Baṣran – school of Mu‘tazilism,²⁴ in other words to the branch of the movement that is relatively underrepresented in the surviving literature.

The two scholars of this period whom we know best are the Jubbā‘īs, Abū ‘Alī (d. 303/916) and his son Abū Hāshim (d. 321/933), both members of the Baṣran school; yet even here, we have at our disposal only scattered references in later works. Mānkdm̄ and others give accounts of the views of the Jubbā‘īs on two main points. The first is the source of the obligation. Abū ‘Alī held it to be both reason and revelation, whereas Abū Hāshim held it to be revelation alone, except in so far as the mental anguish (*maḍaḍ wa-ḥarad*) of the spectator provides a reason for him to act in his own interest.²⁵ Altruism, we understand, is not a duty established

²² *Ibid.*, 4:58 §2,254, and 60, §2,256.

²³ Tūsi, *Tibyān*, 2:549.22; and cf. Abū ‘l-Futūḥ-i Rāzī, *Rawḍ*, 3:141.16 (both to Q3:104). For another issue in connection with which his name is mentioned, see below, note 27.

²⁴ See *Encyclopaedia Iranica*, art. ‘Abū‘l-Qāsem Ka‘bī’, 361a (J. van Ess).

²⁵ So Mānkdm̄ (d. 425/1034), *Ta‘līq Sharḥ al-Uṣūl al-khamsa*, ed. ‘A. ‘Uthmān, Cairo 1965 (published as ‘Abd al-Jabbār ibn Aḥmad (d. 415/1025), *Sharḥ al-Uṣūl al-khamsa*, see below, note 57), 142.3, and cf. *ibid.*, 742.1 (where Mānkdm̄ endorses Abū Hāshim’s view as school doctrine), 743.11 (reporting an argument of Abū ‘Alī), 744.8 (again endorsing Abū Hāshim’s view). It is assumed that the wrongs in question affect others (see *ibid.*, 145.1, and cf. below, 212f.). The disagreement is noted by Madelung (‘Amr be ma‘rūf’, 993b), and the following citations will indicate how widely reported it is in the literature: al-Hākīm al-Jishumī (d. 494/1101), *al-‘Uyūn fī ‘l-radd ‘alā ahl al-bida’*, ms. Milan, Ambrosiana, B 66, f. 66a.6 (for this manuscript, see O. Löfgren and R. Traini, *Catalogue of the Arabic manuscripts in the Biblioteca Ambrosiana*, Vicenza 1975–, 2:89 no. 190); al-Hākīm al-Jishumī (d. 494/1101), *Sharḥ ‘Uyūn al-masā’il*, ms. Leiden, Or. 2,584–B, f. 265a.14; al-Hākīm al-Jishumī (d. 494/1101), *al-Tahdhīb fī taṣīr al-Qur‘ān*, ms. Milan, Ambrosiana, F 184, f. 70a.6 (to Q3:104) (for this work and its manuscripts, see D. Gimaret, *Une lecture mu‘tazilite du Coran: Le Taṣīr d’Abū ‘Alī al-Djubbā‘ī* (n. 303/915) partiellement reconstitué à partir de ses citateurs, Louvain and Paris 1994, 17, 25f.; Gimaret kindly sent me a copy of the commentary to Q3:104–10); Farrazādhī (fl. late fifth/eleventh century), *Ta‘līq Sharḥ al-uṣūl al-khamsa*, ms. Ṣan‘ā’, Great Mosque, *kalām* 73, f. 155a.1 (the character of this work has been analysed by Gimaret (‘Les Uṣūl al-khamsa’, 60–3), who kindly made available a microfilm of the manuscript (for this microfilm, see D. Gimaret, *Théories de l’acte humain en théologie musulmane*, Paris 1980, xvi no. 23); I am indebted to Adrien Leites for consulting the microfilm and making a copy of the relevant passage for me); Ibn al-Malāḥimī (d. 536/1141), *al-Fā‘iq fī uṣūl al-dīn*, ms. Ṣan‘ā’, Great Mosque, *kalām* 53, f. 256b.6 (I am indebted to Wilferd Madelung for making available to me his microfilm of this manuscript); Zamakhsharī (d. 538/1144), *al-Minhaj fī uṣūl al-dīn*, ed. and trans. S. Schmidtke as *A Mu‘tazilite creed of az-Zamakhsharī*,

by reason. The second point is a subtle one: to command a supererogatory act is itself supererogatory, while to command an obligatory act is obligatory.²⁶ This view, Mānkḍīm tells us, was introduced by Abū ‘Alī, earlier Mu‘tazilites (*al-mashāyikh min al-salaf*) having failed to make the distinction.²⁷ Other views of the Jubbā’is appear here and there in the literature. Zaydī sources report from Abū ‘Alī such legal opinions as that one must have actual knowledge that a wrong is being committed before violating the privacy of a home.²⁸ Further opinions of Abū ‘Alī are found in later works of Koranic exegesis, and are likely to derive from his lost Koran commentary.²⁹ Here again the disagreement between him and Abū Hāshim over the source of obligation is mentioned.³⁰ He is also quoted for the view that the group which in Q7:164 saw no point in reproving the Sabbath-breakers³¹ did so because they despaired of them; this would place them among the saved.³² More interestingly, he is reported to have

Footnote 25 (*cont.*)

Stuttgart 1997, 77.4 (drawn to my attention by Etan Kohlberg; the chapter on *al-amr bi’l-ma’rūf* is translated *ibid.*, 40f.); Zamakhsharī, *Kashshāf*, 1:397.11; Ḥimmaṣī (d. early seventh/thirteenth century), *al-Munqidh min al-taqīd*, Qumm 1412–14, 2:211.3; Sayf al-Dīn al-Āmidī (d. 631/1233), in a passage cited below, ch. 13, note 75; Muḥallī (d. 652/1254f.), *‘Umdat al-mustarshidin fi usūl al-dīn*, ms. Princeton, Arabic, Third Series, no. 347, 292.4 (the manuscript is paginated, not foliated; for this work, see ‘A. M. al-Hibshī, *Maṣādir al-fikr al-Islāmī fi ‘l-Yaman*, Sidon and Beirut 1988, 117); Ibn Abī ‘l-Hadīd, *Sharḥ Nahj al-balāgha*, 19:307.17; Abū Ḥayyān, *Baḥr*, 3:21.3; al-Mu‘ayyad Yahyā ibn Ḥamza (d. 749/1348f.), *al-Shāmil li-ḥaqā’iq al-adilla*, ms. Leiden, Or. 2,587, ff. 181b.27, 182a.25, 187b.6 (for this work, see below, note 115); Ibn al-Murtaḍā (d. 840/1437), *al-Qalā’id fi taṣṣīḥ al-‘aqā’id*, ed. A. N. Nādir, Beirut 1985, 149.8. For references to the position of Abū ‘Alī, see also Muwaffaq al-Shajarī (first half of the fifth/eleventh century), *Iḥāṭa*, ms. Leiden, Or. 8,409, f. 135b.8 (for this author and his work, see below, ch. 10, 241); also below, note 45 for Abū Ṭālib al-Nāṭiq (d. 424/1032f.), and note 30 for Ṭabrisī (d. 548/1153).

²⁶ For this question, see below, 213.

²⁷ Mānkḍīm, *Ta’līq*, 146.10, and cf. 745.3; and see Yahyā ibn Ḥamza, *Shāmil*, f. 183a.22, citing the *Mughnī* of ‘Abd al-Jabbār. Ibn al-Murtaḍā (d. 840/1437) credits the innovation to Abū Hāshim (*al-Durar al-farā’id*, in the abridgement of Ṣārim al-Dīn al-Ḥayyī, ms. Berlin, Glaser 202, f. 243a.15 (for this manuscript, see Ahlwardt, *Verzeichniss*, 4:310 no. 4,910), and cf. Ibn al-Murtaḍā, *Qalā’id*, 149.12, reading *yazīd* for *yurīd*). Jishumī states that Abū ‘l-Qāsim al-Balkhī did not distinguish in this way (*Sharḥ*, f. 266a.5; *‘Uyūn*, f. 66a.11), while Ibn al-Murtaḍā says that he believed it to be obligatory to command the supererogatory (*Durar*, f. 243a.13; *Qalā’id*, 149.13).

²⁸ Ibn Miftāḥ (d. 877/1472), *Muntaza‘*, Cairo 1332–58, 4:587.2. For other such opinions of Abū ‘Alī in Zaydī sources, see Muwaffaq al-Shajarī, *Iḥāṭa*, f. 141a.9; ‘Alī ibn al-Ḥusayn ibn al-Hādī (fl. early seventh/thirteenth century), *Luma’*, ms. London, British Library, Or. 3,949, f. 221a.11 (for this manuscript, see Rieu, *Supplement*, 219f. no. 342); Muḥallī, *‘Umda*, 302.4. ²⁹ For this work, see Gimaret, *Lecture*.

³⁰ Zamakhsharī, *Kashshāf*, 1:397.11, and cf. Ṭabrisī, *Majma‘*, 1:484.5 (both to Q3:104, though not included thereto by Gimaret). ³¹ See above, ch. 2, 28.

³² Ṭūsī, *Tibyān*, 5:16.18; Ṭabrisī, *Majma‘*, 2:492.6; Gimaret, *Lecture*, 370. However, as Gimaret points out, Ṭabrisī has Abū ‘Alī suspend judgement on the fate of the group (*Majma‘*, 2:493.14).

held the opinion that forbidding wrong is an individual (as opposed to a collective) duty.³³ But the monograph that Abū ʿAlī devoted to forbidding wrong, and which might have given us a rounded picture of his views, does not survive.³⁴

For the middle and later fourth/tenth century, we have direct access to some views of the Koranic exegete Rummānī (d. 384/994) and the celebrated Būyid vizier the Ṣāḥib ibn ʿAbbād (d. 385/995). Rummānī, like Abū ʿl-Qāsim al-Balkhī, belonged to the Baghdādī school.³⁵ He saw Q3:21, together with the tradition about standing up to an unjust ruler and getting killed for it, as proof that it was permissible to risk death in taking action against wrong (*inkār al-munkar*).³⁶ From his commentary to Q3:104 we learn his views on a number of points. He inclined to the view that the duty can be known by reason;³⁷ he held it to be a collective obligation;³⁸ and he approved of recourse to arms where necessary.³⁹ The Ṣāḥib ibn ʿAbbād, who was closely connected to the Baṣran school, has left us two very short accounts of the duty. Perhaps their most notable feature is their stress on an escalation (*irtiqāʾ*) which may lead in the end to the gravest measures, including the use of arms. The only condition he mentions is being able to perform the duty (*imkān* or *istiṭāʿa*).⁴⁰

³³ Tūsī, *Tibyān*, 2:548.14 (to Q3:104, not included by Gimaret); cf. above, ch. 2, note 17. What Tūsī says here is explicit enough. However Zajjāj, whom he yokes with Abū ʿAlī in connection with the interpretation of the *min* of Q3:104, does not himself raise the issue whether the duty is to be classified as individual or collective (see above, ch. 2, note 16); this in turn suggests that we cannot entirely trust Tūsī's report of Abū ʿAlī's position. For other comments of Abū ʿAlī on verses bearing on *al-amr bi'l-ma'rūf*, see Gimaret, *Lecture*, 674, 801.

³⁴ For this work see D. Gimaret, 'Matériaux pour une bibliographie des Ġubbāʾī', *Journal Asiatique*, 264 (1976), 283 no. 8; D. Gimaret, 'Matériaux pour une bibliographie des Jubba'i: note complémentaire', in M. E. Marmura (ed.), *Islamic theology and philosophy*, Albany 1984, 32 no. 8.

³⁵ For Rummānī's school allegiance, see Ibn al-Murtaḍā, *Ṭabaqāt*, 110.11, and *ET*², art. 'Rummānī', 614b (J. Flanagan).

³⁶ Tūsī, *Tibyān*, 2:422.16; Ṭabrisī, *Majmaʿ*, 1:423.31; cf. above, ch. 2, note 79, and ch. 1, note 18, respectively.

³⁷ Rummānī (d. 384/994), *Tafsīr al-Qurʾān*, ms. Paris, Bibliothèque Nationale, Arabe 6,523, f. 62b.9 (partially reproduced in Tūsī, *Tibyān*, 2:549.11). For this manuscript, see Gimaret, *Lecture*, 18, 23; I am grateful to Adrien Leites for obtaining for me a copy of the commentary to Q3:104–10. ³⁸ Rummānī, *Tafsīr*, f. 62a.14, 62b.14.

³⁹ *Ibid.*, f. 62a.9 (copied in Tūsī, *Tibyān*, 2:549.16). Contrast the more restrictive view of his fellow-Baghdādī Abū ʿl-Qāsim al-Balkhī on this point (see above, note 23).

⁴⁰ See al-Ṣāḥib ibn ʿAbbād (d. 385/995), *al-Ibāna ʿan madhhab ahl al-ʿadl*, in M. Ḥ. Āl Yāsīn (ed.), *Nafāʾis al-makḥḥūṭāt*, Najaf and Baghdad 1952–6, 1:24.15; al-Ṣāḥib ibn ʿAbbād (d. 385/995), *al-Tadbkira fī ʿl-uṣūl al-khamsa*, also in Āl Yāsīn, *Nafāʾis al-makḥḥūṭāt*, 2:94.17. Both are cited in E. Kohlberg, 'The development of the Imāmī Shīʿī doctrine of *jihād*', *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 126 (1976), 68 n. 30. In the first, the Ṣāḥib also mentions a group of the Ḥashwīyya who deny the obligatoriness of *al-amr bi'l-ma'rūf*.

We can conclude this survey of the first three centuries of Mu‘tazilite doctrine with the well-known Shāfi‘ite Mu‘tazilite ‘Abd al-Jabbār ibn Aḥmad al-Hamadhānī (d. 415/1025), a representative of the Baṣran school. Though a considerable number of his works survive, among those that are definitely his we find only one that treats forbidding wrong.⁴¹ It does so in two passages of a few lines each. The first begins with the point that commanding right may be either obligatory or supererogatory, depending on whether the right to be commanded is itself obligatory or supererogatory; by contrast, forbidding wrong is invariably obligatory, since all wrong (*munkar*) is evil (*qabīḥ*). ‘Abd al-Jabbār then goes on to escalation, stressing that one should not go beyond the minimum measure that is effective (he cites in support Q49:9). He ends the passage by stating that the duty of forbidding wrong lapses (and it is best not to proceed) when there is good reason to believe that it would lead to worse offences and greater harm. The second passage answers the question: ‘Do you hold that one who does not forbid wrong disobeys God?’ The reply is that this is indeed so if he is able to perform the duty (*in amkanahu dhālīka*),⁴² does not fear for his life or property, and believes (*ẓanna*) that he would be successful (*annahu yuqbal minhu*); if despite fear for his life he proceeds anyway, he acts virtuously. Another work which is very probably ‘Abd al-Jabbār’s devotes a few lines to the grounds of obligation.⁴³ These are given as scripture, tradition (*sunna*) and consensus – but only the first is illustrated (here by Q5:78–9), further proofs being described as innumerable.

⁴¹ ‘Abd al-Jabbār ibn Aḥmad (d. 415/1025), *al-Uṣūl al-khamsa*, apud Gimaret, ‘Les Uṣūl al-khamsa’, 82.7, 94.16 (the latter passage was drawn to my attention by Haggai Ben Shammai). (This work, for which see *ibid.*, 73, is translated in R. C. Martin *et al.*, *Defenders of reason in Islam*, Oxford 1997, 90–110.) ‘Abd al-Jabbār does not treat forbidding wrong in either his *Mughnī* or his *Muḥīṭ* to the extent that they are extant and published; but there are cross-references to such a discussion in the published volumes of the *Mughnī* (see J. R. T. M. Peters, *God’s created speech*, Leiden 1976, 34; also *Mughnī*, ed. Ṭ. Ḥusayn *et al.*, Cairo 1960–9, 20:2:239.5).

⁴² This, as we have seen, is commonly presented as a condition in other Mu‘tazilite (not to mention non-Mu‘tazilite) accounts, though the wording varies (cf. above, notes 13, 21, 40).

⁴³ ‘Abd al-Jabbār ibn Aḥmad (d. 415/1025), *Mukhtaṣar fī uṣūl al-dīn*, in M. ‘Umāra (ed.), *Rasā’il al-‘adl wa’l-tawḥīd*, Cairo 1971, 1:248.1. The title of the work is taken by ‘Umāra from the author’s own description of it (*ibid.*, 168.5). He ascribes it to ‘Abd al-Jabbār on various grounds, none of them compelling (*ibid.*, 163–7). Some support for his view can, however, be found in the appearance near the beginning of the work of the statement that the principles of religion with which one must be acquainted are four, namely *tawḥīd*, *‘adl*, *nubuwwāt*, and *sharā‘i’* (*ibid.*, 168.17); this is identical with a schema adduced by Mānkḍīm from ‘Abd al-Jabbār’s *Mukhtaṣar al-Ḥasanī* (*Ta’līq*, 122.15, and cf. *ibid.*, 23, in the editor’s introduction). However, the rest of what Mānkḍīm says about this work in the same passage does not fit ‘Umāra’s text (contrast Mānkḍīm, *Ta’līq*, 123.1 with ‘Umāra, *Rasā’il*, 169.13). The ascription to ‘Abd al-Jabbār is accepted by Madelung (*Encyclopaedia Iranica*, art. ‘Abd al-Jabbār’, 117b item 3).

The author adds that reason declares it an act of benevolence (*iḥsān*) to restrain others from evil (*qabīḥ*). However, our knowledge of ‘Abd al-Jabbār’s views is much more extensive than direct attestations would suggest. As will be seen in the next section, almost all classical Mu‘tazilite treatments of the duty derive from his school, and on occasion they expressly quote him or make explicit reference to his opinions on one point or another. An exception is a short account that is in all probability the work of the Zaydī imam Abū Ṭālib al-Nāṭiq (d. 424/1032f.).⁴⁴ Like ‘Abd al-Jabbār, Abū Ṭālib was a pupil of the well-known Ḥanafī Mu‘tazilite Abū ‘Abdallāh al-Baṣrī (d. 369/980),⁴⁵ and what he says can thus help us to work back to the generation preceding ‘Abd al-Jabbār.

Before we proceed to the classical accounts of forbidding wrong, we need to pull together the threads of these rather disjointed findings regarding early Mu‘tazilite views. There are two issues worth raising here.

The first concerns the evolution of Mu‘tazilite thought over time. That it evolved is something we can assume. Indeed in one instance our sources explicitly tell us that it did so: Abū ‘Alī introduced a distinction that had not been made by his predecessors.⁴⁶ But I have encountered no instance of a reported view of an early authority which we can identify as an archaism in relation to classical Mu‘tazilite doctrines of forbidding wrong. The one possible candidate is the equation of forbidding wrong with rebellion against unjust rule, an attitude which has been seen as a casualty of the declining activism of the movement;⁴⁷ I shall return in a moment to the question whether the early Mu‘tazilites actually made such an equation. This apart, my category of ‘early Mu‘tazilism’ does not identify a stage in the development of the school when its doctrine of forbidding wrong was visibly different from what it later became. In the present (and probably future) state of our knowledge, early Mu‘tazilism is simply Mu‘tazilism which we do not know very much about.

The second issue is whether modern scholars are right to suppose that the early Mu‘tazilite conception of the duty was a particularly activist one.

⁴⁴ This account is found in ms. Milan, Ambrosiana, Codex Griffini 27, ff. 63b.6–64a.22. Madelung, who kindly sent me a copy of the passage, has shown that the work in question is likely to be Abū Ṭālib al-Nāṭiq’s *Mabādi’ al-adilla fī uṣūl al-dīn* (as which I cite it below), and that it is in any case by a pupil of Abū ‘Abdallāh al-Baṣrī (d. 369/980) other than ‘Abd al-Jabbār (see W. Madelung, ‘Zu einigen Werken des Imams Abū Ṭālib an-Nāṭiq bi l-Ḥaqq’, *Der Islam*, 63 (1986)). For Abū Ṭālib al-Nāṭiq, see Madelung, *Qāsim*, 178–82.

⁴⁵ See *ET*², *Supplement*, art. ‘Abū ‘Abd Allāh al-Baṣrī’ (J. van Ess). Abū ‘Abdallāh is not, however, mentioned in our passage; the only named Mu‘tazilite authority here is Abū ‘Alī, adduced for his view that the duty is obligatory by reason (*‘aqlan*) (Abū Ṭālib al-Nāṭiq, *Mabādi’*, f. 63b.7; for this issue, see above, note 25). ⁴⁶ See above, note 27.

⁴⁷ See van Ess, *Theologie*, 2:390, 4:675, 704; cf. also McDermott, *Mufid*, 56, and the polemic of the Imāmī Shaykh al-Mufid (d. 413/1022) cited *ibid.*, 124.

If we mean by this that they linked forbidding wrong to rebellion against unjust rule, the evidence we have considered above is inconclusive. With regard to ‘Amr ibn ‘Ubayd, it is suggestive, but not much more.⁴⁸ It is noteworthy that the linkage is absent from Ṣafwān al-Anṣārī’s poem,⁴⁹ as also from Abū ‘l-Qāsim al-Balkhī’s chapter on Mu‘tazilite rebels (*khurūj ahl al-‘adl*).⁵⁰ The only instance in which the connection is explicit is the view attributed to Sahl ibn Salāma.⁵¹ But if we leave aside the question of rebellion, there is much to be said for the view that early Mu‘tazilism took a broadly activist stance with regard to forbidding wrong. With the possible exception of Abū Bakr al-Aṣamm,⁵² the Mu‘tazilites seem generally willing to contemplate recourse to arms in discharging the duty – in marked contrast to the Ḥanbalites. As we have seen, this theme appears in the accounts of Ash‘arī, Mas‘ūdī, Rummānī, and the Ṣāḥib ibn ‘Abbād;⁵³ and although Abū ‘l-Qāsim al-Balkhī himself significantly limits the use of arms,⁵⁴ he says of the Mu‘tazilites in general that they agree on the obligation to carry out the duty with the sword, as well as through less drastic measures.⁵⁵ Reinforcing this embrace of the sword is a loud, if not quite deafening silence: there is no mention in all this of the third mode of standard Sunnī doctrine, performance in the heart.⁵⁶

3. CLASSICAL MU‘TAZILISM: THE DOCTRINE OF MĀNKDĪM

There are three classical Mu‘tazilite authorities whose views on forbidding wrong are known to us in some detail. Those of Mānkdim (d. 425/1034) and al-Ḥākim al-Jishumī (d. 494/1101) are directly accessible in their own works. Those of Abū ‘l-Ḥusayn al-Baṣrī (d. 436/1044) are known from the works of a number of later scholars. All three are members of the school

⁴⁸ See above, 197. I am not concerned here with the wider question of the early Mu‘tazilite attitude to rebellion, though it is worth noting that there never was a rebellion that was both historically significant and specifically Mu‘tazilite. Indeed it has been argued with some force that early Mu‘tazilism cannot be seen as a movement with a clear political identity (S. Stroumsa, ‘The beginnings of the Mu‘tazila reconsidered’, *Jerusalem Studies in Arabic and Islam*, 13 (1990), 280–7, 293).

⁴⁹ See above, note 3.

⁵⁰ Abū ‘l-Qāsim al-Balkhī, *Maqālāt*, apud ‘Abd al-Jabbār, *Faḍl al-i‘tizāl*, 115–19.

⁵¹ See above, note 16. ⁵² See above, 197f. ⁵³ See above, notes 13, 21, 39f.

⁵⁴ See above, note 23.

⁵⁵ Abū ‘l-Qāsim al-Balkhī, *Maqālāt*, apud ‘Abd al-Jabbār, *Faḍl al-i‘tizāl*, 64.12. The passage reappears in Abū Tammām, *Shajara*, 13.7 = 30.

⁵⁶ It does appear in the doctrine attributed by Ibn Ḥazm to Aṣamm and others, but this is not serious evidence (see above, note 14). It also figures in the account of Mu‘tazilite doctrine given by Malaṭī (d. 377/987f.) (*Tanbih*, ed. S. Dederling, Istanbul 1936, 30.12), but this is an even less reliable source. See also below, ch. 13, note 8, for a statement of Qaffāl al-Shāshī (d. 365/976) listing the three modes.

of ‘Abd al-Jabbār, who was himself in a line that went back through his teacher Abū ‘Abdallāh al-Baṣrī to the Jubbā’īs. I shall proceed by giving pride of place to the account of Mānkḏīm; it is relatively clear and systematic, and can stand as a model of what a classical Mu‘tazilite doctrine of forbidding wrong is like. The book in question, itself based on a lost work of ‘Abd al-Jabbār which it frequently quotes, is a compendium of Mu‘tazilite doctrine.⁵⁷ Mānkḏīm discusses the duty in two extended passages,⁵⁸ which I summarise and merge in what follows.⁵⁹ In the notes I have added frequent references to other Mu‘tazilite accounts of the duty,⁶⁰ but the more significant features of rival doctrines will be taken up in the next section. As will be seen, Mānkḏīm’s account has something in common with that of the Ḥanbalite Abū Ya‘lā ibn al-Farrā’ (d. 458/1066),⁶¹ but it is much more elaborate and sophisticated.

1. Definitions

Mānkḏīm begins, logically enough, by defining the four terms making up the phrase ‘commanding right and forbidding wrong’. Thus ‘commanding’ (*amr*) is telling someone below one in rank (*rutba*) to do something, while forbidding (*nahy*) is telling them not to; ‘right’ (*ma‘rūf*) is any action of which the agent knows or infers the goodness (*ḥusn*), and ‘wrong’ (*munkar*) any action of which he knows or infers the badness (*qubḥ*).⁶²

⁵⁷ The work is Mānkḏīm’s *Ta’līq Sharḥ al-Uṣūl al-khamsa*, and I cite it as such; but as already noted, it was published as the *Sharḥ al-Uṣūl al-khamsa* of ‘Abd al-Jabbār. For the correct ascription and title, see Gimaret, ‘*Les Uṣūl al-khamsa*’, 49f., and the detailed discussion that follows there. For the relationship of the work to ‘Abd al-Jabbār’s, see *ibid.*, 55, 66, and for Mānkḏīm himself, see *ibid.*, 57–60.

⁵⁸ Mānkḏīm, *Ta’līq*, 141–8, 741–9. He has already discussed the question whether *al-amr bi’l-ma‘rūf* is one of five irreducible principles of the faith (*uṣūl al-dīn*), referring to various views of ‘Abd al-Jabbār (*ibid.*, 122.14). The position he endorses is that there are in fact only two irreducible principles, namely the unity of God and His justice, and that the other three principles of Mu‘tazilism – including *al-amr bi’l-ma‘rūf* – fall under His justice (*ibid.*, 123.5).

⁵⁹ The numbering and headings of the sections are mine. Sections 1–12 are taken from the first passage, with parenthetical insertions of additional material from the second passage marked { . . . }. I do not cite material from the second passage when it merely repeats what is said in the first.

⁶⁰ As witnesses to the doctrine of Abū ‘l-Ḥusayn I cite Ibn al-Malāḥimī, Zamakhsharī, Ḥimmaṣī, Ibn Abī ‘l-Ḥadīd (d. 656/1258) and Yahyā ibn Ḥamza. I have also made reference to the account of Abū Ṭālib al-Nāṭiq. ⁶¹ Cf. above, ch. 6, 129–36.

⁶² Mānkḏīm, *Ta’līq*, 141.9 (the application of the terms *ma‘rūf* and *munkar* to acts of God is restricted). Similar definitions of *ma‘rūf* and *munkar* are given by Ibn al-Malāḥimī (*Fā’iq*, f. 256a.18) and Ḥimmaṣī (*Munqidh*, 2:209.6), while Yahyā ibn Ḥamza defines all four terms (*Shāmil*, f. 181b.5). Cf. also Jishumī, *Tahdhib*, f. 69a.16, 69b.9.

2. Obligation

Mānkdm̄ explains that there is no disagreement that commanding right and forbidding wrong are obligatory. {In the second passage he qualifies this by noting the dissent of an insignificant splinter-group of the Imāmīs.}⁶³ The only point at issue is whether the obligation is known to be such by reason (‘*ʿaql*’), or by revelation (*‘sam*’) alone. On this he reports disagreement within the Mu‘tazilite fold: one view is that the obligation is known from both reason and revelation, the other that it is known only from revelation.⁶⁴ An exception is made on the latter view where the wrong being done to another is causing one emotional distress; here reason requires that one should proceed, simply to alleviate one’s own discomfort. {In the second passage, Mānkdm̄ identifies the view that the obligation is known only from revelation as the correct school doctrine.}⁶⁵ The forms of revelation that establish the duty are Koran, tradition (*‘sunna*) and consensus (*‘ijmā*’). From the Koran, he adduces Q3:110: ‘You were the best community brought forth to men, commanding right and forbidding wrong’; God would not have praised us so had commanding right and forbidding wrong not been obligatory. {The second passage adds Q31:17.}⁶⁶ Turning to tradition, he quotes a saying of the Prophet: ‘No eye which sees God disobeyed should blink before righting the wrong or departing the scene.’⁶⁷

⁶³ Mānkdm̄, *Ta‘līq*, 741.5; Farrazādhī specifies that this group makes obligation conditional on the presence of a ruling imam (*‘imām mustarāḍ al-ṭā‘a*, *Ta‘līq*, f. 154b.14). Compare Mānkdm̄, *Ta‘līq*, 124.10, where he notes that Imāmī disagreement with the ‘five principles’ of the Mu‘tazilites concerns *‘al-amr bi’l-ma‘rūf*. Jishumī mentions as dissenters the Rāfiḍa, the Hashwiyya and Abū Bakr al-Aṣamm (*Sharḥ*, f. 264b.7, and cf. his *‘Uyūn*, f. 66a.1). His statement of the view of Aṣamm looks like a conflation of two statements made by Ash‘arī, rather than an independent testimony (cf. above, notes 13, 15). Yaḥyā ibn Ḥamza speaks of the dissent of an Imāmī sect (*ba‘ḍ firaq al-Imāmiyya*, *Shāmīl*, f. 181b.25).

⁶⁴ For the earlier Mu‘tazilite disagreement on this issue, see above, note 25.

⁶⁵ Mānkdm̄, *Ta‘līq*, 742.6, adducing complex arguments which we can leave aside. Similar accounts are given by Abū Ṭālib al-Nāṭiq (*Mabādī*, f. 63b.7), Jishumī (*Sharḥ*, f. 265a.14, and cf. his *‘Uyūn*, f. 66a.6), Ibn al-Malāḥimī (*Fā‘iq*, f. 256b.6), Ḥimmaṣī (*Munqidh*, 2:211.3), and Yaḥyā ibn Ḥamza (*Shāmīl*, f. 181b.21). The last three set out the argument of Abū ‘l-Ḥusayn in favour of the rationalist view, namely that altruism leads to reciprocation, and is thus in the altruist’s interest (*Fā‘iq*, f. 256b.14; *Munqidh*, 2:214.13; *Shāmīl*, f. 182a.10). Ibn Abī ‘l-Ḥadīd and Zamakhsharī do little more than set out the disagreement between the Jubbāṭīs (see above, note 25). Cf. also the quotation from an unpublished volume of ‘Abd al-Jabbār’s *Muḥīṭ* in A. ‘A. ‘Arif, *al-Ṣila bayn al-Zaydiyya wa’l-Mu‘tazila*, Beirut and Ṣan‘ā 1987, 351.3. ⁶⁶ Mānkdm̄, *Ta‘līq*, 741.8.

⁶⁷ *Ibid.*, 142.11, 741.10 (*laysa li-‘ayn tarā ‘llāh yu‘ṣā fa-tatrif ḥattā tughayyir aw tantaqil*; similarly Farrazādhī, *Ta‘līq*, f. 154b.18). It is striking, though not perhaps surprising, that Mānkdm̄ does not cite a better-known tradition. This one is sparsely attested in Sunnī sources. One variant is quoted by al-Ḥakīm al-Tirmidhī (*fl.* late third/ninth century)

As to consensus, this is unproblematic in the absence of disagreement.⁶⁸

3. Conditions

Having established the basis of the obligation, Mānkdīm now turns to the circumstances that trigger it. He gives a schema of five conditions (*sharā’iṭ*) which must be satisfied for commanding right and forbidding wrong to be obligatory.⁶⁹ These conditions are as follows:

- 1 *Knowledge of law.* One must know that what one commands is indeed right and what one forbids wrong. Without this, one is in danger of commanding what is wrong and forbidding what is right, which is not permissible. More specifically, one must have actual knowledge of the

(*Nawādir al-uṣūl*, Beirut n.d., 22.1, whence Muttaqī, *Kanz*, 3:87 no. 5,614); another, ascribed to anonymous sources (*kāna yuqāl*) rather than to the Prophet, is given by Ibn Abī ‘l-Dunyā (*Amr*, 78 no. 34, whence ‘Abd al-Ghanī al-Maqdisī, *Amr*, 51 no. 67). On the Imāmī side, a wording almost identical with that of Ibn Abī ‘l-Dunyā is found in Ṭūsī (d. 460/1067), *Amālī*, Najaf 1964, 1:54.17, and subsequently in Hurr al-‘Āmilī, *Wasā’il*, 6:1:399 no. 25, and Majlisī, *Bihār*, 100:77 no. 28. On the Zaydī side, the tradition is quoted in forms close to or identical with Mānkdīm’s, and ascribed to the Prophet, by such authorities as Ṣu‘aytirī (d. 815/1412) (*Ta’līq*, ms. Berlin, Glaser 145, f. 390a.13 (for this manuscript, see Ahlwardt, *Verzeichniss*, 4:295 no. 4,883)) and Ibn al-Murtaḍā (d. 840/1437) (*al-Baḥr al-zakḥkhār*, ed. ‘A. M. Ṣādiq and ‘A. S. ‘Aṭiyya, Cairo 1947–9, 5:470.2, and cf. the commentary thereto; also his *Qalā’id*, 152.19 and his *Durar*, ff. 241b.4, 247a.22). Another version of the tradition is found in a Zaydī source contemporary with al-Hādī ilā ‘l-Ḥaqq (d. 298/911) (‘Abdallāh ibn al-Ḥusayn, *Nāsikh*, f. 45b.6). The only version supplied with an *isnād* is that of Ibn Abī ‘l-Dunyā and the Imāmī sources. Here the tradition has an ‘Alid higher *isnād* which does not seem to be Imāmī, and may be Zaydī. The latest ‘Alid to appear, the polymath Abū Ṭāhir Aḥmad ibn ‘Isā (*fl.* c. 200/815), is familiar to the ‘Alid genealogists (see, for example, ‘Alī ibn Abī ‘l-Ghanā’im al-‘Umarī (fifth/eleventh century), *al-Majdī fī ansāb al-Ṭālibiyyin*, ed. A. al-Mahdawī al-Dāmghānī, Qumm 1409, 294.3, and cf. 292.10 for the chronology), but he is not included by the Imāmī biographers. In short, we cannot be certain whether we have to do with a Sunnī tradition adduced by ‘Abd al-Jabbār or a Zaydī tradition supplied by Mānkdīm. Ibn al-Malāḥimī, Zamakhsharī, and Ḥimmaṣī cite a much better known tradition at this point (Ibn al-Malāḥimī, *Fā’iq*, f. 256a.25; Zamakhsharī, *Minhāj*, 77.5; Ḥimmaṣī, *Munqidh*, 2:210.1; for the tradition, see above, ch. 3, note 19). But Ḥimmaṣī also knows Mānkdīm’s tradition (*ibid.*, 220.13), and Yahyā ibn Ḥamza cites both (*Shāmīl*, f. 183a.5).

⁶⁸ Mānkdīm, *Ta’līq*, 142.1. Similarly Ibn al-Malāḥimī (*Fā’iq*, f. 256a.22), Ḥimmaṣī (*Munqidh*, 2:209.14), and Yahyā ibn Ḥamza (*Shāmīl*, f. 183a.10). See further below, 215.

⁶⁹ Abū Ṭālib al-Nāṭiq gives a list of four conditions (which he refers to as *ma‘ānī*), starting with equivalents of Mānkdīm’s in the order (5), (4), (3); his fourth condition, that one’s *inkār al-munkar* should not itself be a *munkar* deserving of *inkār*, can be taken to correspond to Mānkdīm’s (1) and (2) (*Mabādi’*, f. 64a.12). Jishumī gives pretty much the same conditions as Mānkdīm, but in the order (1), (4), (2), (5), (3) (*Sharḥ*, f. 266b.1). For the different overall approach to the conditions taken by writers in the school of Abū ‘l-Ḥusayn (including Ibn al-Malāḥimī, Zamakhsharī, Ḥimmaṣī, Ibn Abī ‘l-Ḥadīd and Yahyā ibn Ḥamza), see below, 222f.

point in question; just having good reason to believe (*ghalabat al-ẓann*) that something is right or wrong is not enough.⁷⁰

- 2 *Knowledge of fact.* One must know the wrong to be in the making (*ḥādīr*); for example, one might see the wherewithal for drinking or making music already assembled. Mānkdm̄’s treatment of this condition is very brief, but the parallels in other Mu‘tazilite accounts make it clear that he is restricting the duty in a way that is significant (and to an extent counter-intuitive). The point of forbidding wrong, in this Mu‘tazilite doctrine, is solely to have an impact on the future; blaming or punishing people for what they have already done are thus no part of the duty, except to the extent that they function as deterrents against recidivism. With regard to this condition, it suffices to have good reason to believe.⁷¹
- 3 *Absence of worse side-effects.* One must know that taking action will not lead to a greater evil (*maḍarra*). Thus if one knows – or has good reason

⁷⁰ Mānkdm̄, *Ta’līq*, 142.16. Jishumī gives a formidable account of the religious knowledge the performer must possess, but then quotes ‘Abd al-Jabbār to the effect that where the status of the wrong is obvious and generally agreed upon by the scholars, the layman is in the same position as a scholar – whereas if *ijtibād* is involved, only scholars can perform the duty (*Sharḥ*, f. 266b.4). For the equivalent of this condition in the school of Abū ‘l-Ḥusayn, see Ibn al-Malāḥimī, *Fā’iq*, f. 256b.23; Zamakhsharī, *Minhāj*, 78.1; Zamakhsharī, *Kashshāf*, 1:397.13, and cf. 396.9; Ḥimmaṣī, *Munqidh*, 2:216.7; Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:308.20; Yahyā ibn Ḥamza, *Shāmīl*, f. 185b.28.

⁷¹ Mānkdm̄, *Ta’līq*, 143.1. Jishumī expresses the condition in terms of the existence of signs that the offender is going to commit the offence (*amārāt al-iqdām*) (*Sharḥ*, f. 266b.2), and in expanding on this explains that what has already happened (*al-wāqī‘*) cannot be prevented, and so cannot be taken as the target of the duty – unless to discourage the offender from doing such things in future (*ibid.*, f. 266b.12). In the school of Abū ‘l-Ḥusayn, this condition is in effect divided into two: that the wrong has not already happened (which is a condition for it to be good to proceed), and that it looks as if it’s going to happen (a condition for it to be obligatory to proceed) (Ibn al-Malāḥimī, *Fā’iq*, f. 257a.4, 257a.15; Zamakhsharī, *Minhāj*, 78.2, 77.12; Zamakhsharī, *Kashshāf*, 1:397.13, 397.16; Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:309.4 (garbled), 309.16; Yahyā ibn Ḥamza, *Shāmīl*, f. 186a.6, 186b.17). Ḥimmaṣī complicates the picture by omitting the first (cf. *Munqidh*, 2:216.11), and giving the second in a form that owes its key term (*amārāt al-istimrār*) to the account of the Sharīf al-Murtaḍā (d. 436/1044) (*ibid.*, 218.7; cf. below, ch. 11, 276, condition (2)); in other words, he speaks of an offence that is now in progress, and at the same time likely to recur in the future. On the handling of the conditions in the school of Abū ‘l-Ḥusayn in general, see further below, 222f.; what concerns us here is the condition that the wrong has not already happened. The key word in this is *wāqī‘* (see the wordings quoted below, note 123), used in the sense of ‘having already happened’. The garbled wording of Ibn Abī ‘l-Ḥadīd’s *Sharḥ* at this point is no doubt the result of a failure (very likely his own) to understand this usage: *wāqī‘* has thus been taken in the sense of ‘real’ or ‘actual’. (For the temporal force of the participle here, compare Muwaffaq al-Shajārī, *Ḥāṭa*, f. 138a.20: *idh ikhrājūhu ‘an kawnihi fā’ilan li-mā qad fa’alahu lā yumkin*, where *fā’ilan* clearly has the sense of ‘having done’.) One result of this Mu‘tazilite doctrine is that the past tense of *fa’alūhu* in Q5:79 becomes a problem; Zamakhsharī seeks to explain it away (*Kashshāf*, 1:667.9; for this verse, see above, ch. 2, 15f.).

to believe – that telling off wine-drinkers will lead to the killing of Muslims or the burning of a quarter of a town, there is no obligation to proceed, nor is it good to do so.⁷²

- 4 *Efficacy*. One must know – or have good reason to believe – that speaking out will have an effect (*ta’thīr*). However, there is disagreement as to whether or not it is still good to proceed even when it is not obligatory. Some say that it is good because it is tantamount to calling others to the faith (*istid‘ā’ al-ghayr ilā ’l-dīn*); others say that it is bad because futile (*‘abath*).⁷³ Mānkdm̄ does not state his own view on this point.
- 5 *Absence of danger to oneself*. One must know – or have good reason to believe – that one’s action will not bring harm to one’s person or property. This, however, depends on the kind of person one is. A man who will not be greatly affected by insults and blows is hardly exempted from the duty by such a prospect; on the other hand, one who would suffer and lose standing has no obligation. Again the question arises whether it is still good to proceed, even for someone who is not obligated to do so. In this case the answer is that it depends: if the man’s suffering would be for the greater glory of the faith (*i’zāz al-dīn*), then it is good that a man should act, but if not, not. This is how we should understand the case of Ḥusayn ibn ‘Alī (d. 61/680), who persisted in commanding right and forbidding wrong till he was killed.⁷⁴

⁷² Mānkdm̄, *Ta’līq*, 143.3 (when this condition is picked up a little later, the quarter is specified to be a Muslim one, *ibid.*, 146.2). For various versions of this condition, see above, 202 (‘Abd al-Jabbār); Abū Ṭālib al-Nāṭiq, *Mabādi’*, f. 64a.13; Jishumī, *Sharḥ*, f. 266b.4, 266b.15; Ibn al-Malāḥimī, *Fā’iq*, f. 257a.5; Zamakhsharī, *Minhāj*, 78.3; Zamakhsharī, *Kashshāf*, 1:397.15; Ḥimmaṣī, *Munqidh*, 2:216.11; Ibn Abī ’l-Ḥadīd, *Sharḥ*, 19:309.6; Yahyā ibn Ḥamza, *Shāmil*, f. 186a.10.

⁷³ Mānkdm̄, *Ta’līq*, 143.6; similarly Abū Ṭālib al-Nāṭiq, *Mabādi’*, f. 64a.13, and Jishumī, *Sharḥ*, f. 266b.2, 266b.10 (but without discussion of the point of disagreement). For the school of Abū ’l-Ḥusayn (in which prospective efficacy is in the first instance a condition for it to be good to proceed, cf. below, note 151), see Ibn al-Malāḥimī, *Fā’iq*, f. 257a.6; Zamakhsharī, *Minhāj*, 78.3, and his *Kashshāf*, 1:397.15, and cf. 396.12; Ḥimmaṣī, *Munqidh*, 2:216.13; Ibn Abī ’l-Ḥadīd, *Sharḥ*, 19:309.10; Yahyā ibn Ḥamza, *Shāmil*, f. 186a.15. Yahyā quotes from ‘Abd al-Jabbār two antithetical views on the question whether it is still good to proceed, one espoused in his *Ta’līq al-Muḥīṭ* (*ibid.*, f. 186a.25), and the other in his *Mughnī* (*ibid.*, f. 186b.4); he supports the more positive view cited from the *Mughnī*, which is also that of ‘Abd al-Jabbār in his *al-Uṣūl al-khamsa* (see above, 202).

⁷⁴ Mānkdm̄, *Ta’līq*, 143.10 (I read *yuhmal* for *yaḥmul*). Jishumī’s formulation of the danger condition is similar (*Sharḥ*, f. 266b.3, 266b.13), and his position on the question whether it is good to proceed is the same (*ibid.*, f. 264b.17). In his Koran commentary he takes the view that Q3:21 shows it to be good to proceed with *al-amr bi’l-ma’rūf* even at risk to one’s life; he comments that this confirms the view of the Mu‘tazilites (‘our teachers’) that in the face of such danger it is best to go ahead for the greater glory of the faith (*i’zāz al-dīn*) (see Zarzūr, *al-Hākim al-Jushamī*, 194.16, where the passage is quoted). Muḥallī does not use the phrase *i’zāz al-dīn*, but makes the same point by distinguishing between people who serve as religious role models, for whom heroism is virtuous, and people who

4. Escalation

By what means is the duty to be performed? Here Mānkḏīm sets out a basic principle: since the object of the exercise is simply to bring about good and put a stop to evil, one may not have recourse to drastic measures (*al-amr al-ṣa‘b*) where the purpose is achieved (*idhā ‘rtafa‘a ‘l-gharaḏ*)⁷⁵ by gentler ones (*al-amr al-sahl*). This is established by both reason and revelation. As to reason, when one of us has an objective, it is impermissible (*lā yajūz*) for him to take a difficult course where an easy one would suffice. As to revelation, God first commands us to try to put things right between groups of believers who are fighting each other, and only then does He go on to tell us to fight the group that is in the wrong (Q49:9), thus prescribing a process of escalation.⁷⁶ [The second passage approaches escalation from a different angle, establishing a difference between commanding right and forbidding

Footnote 74 (*cont.*)

do not fulfil such a role, for whom it is not (‘*Umda*, 299.23). For the equivalent of the condition in the school of Abū ‘l-Ḥusayn (where it is a condition for obligation, cf. below, note 152), see Ibn al-Malāḥimī, *Fā‘iq*, f. 257a.17; Zamakhsharī, *Minhāj*, 77.13 (for *li-annah* read *illā annahu*, *ibid.*, 77.17, and revise the translation accordingly); Zamakhsharī, *Kashshāf*, 1:398.1; Ḥimmaṣī, *Munqidh*, 2:218.18; Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:309.19; and Yahyā ibn Ḥamza, *Shāmīl*, f. 186b.28. Ibn al-Malāḥimī states that the distinction turning on *i‘zāz al-dīn* was made by ‘Abd al-Jabbār, and that it was rejected by Abū ‘l-Ḥusayn, who took the view that it is good to proceed in all such cases, because all alike involve *i‘zāz al-dīn* (*Fā‘iq*, f. 257a.24; similarly Ḥimmaṣī, *Munqidh*, 2:219.10, and Yahyā ibn Ḥamza, *Shāmīl*, f. 187a.17 (endorsing the view of Abū ‘l-Ḥusayn)). We have already encountered this view in the doctrine of the Ḥanbalite Abū Ya‘lā (see above, ch. 6, note 142; and cf. below, ch. 10, note 112, for Ibn al-Murtaḏā). However, this forms part of an account in which Ibn al-Malāḥimī has already stated that, in cases where there is good reason to believe that one’s action would be effective, it is the doctrine of ‘our teachers’ that it is wrong to proceed where the offence in question is less weighty than the danger courted (*Fā‘iq*, f. 257a.19; likewise Zamakhsharī, *Minhāj*, 77.13; Ḥimmaṣī, *Munqidh*, 2:219.2; Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:310.2; Yahyā ibn Ḥamza, *Shāmīl*, f. 187a.5). Ibn al-Malāḥimī goes on to a discussion of danger to property more elaborate than Mānkḏīm’s (*Fā‘iq*, f. 257b.1; similarly Ḥimmaṣī, *Munqidh*, 2:220.2, and Yahyā ibn Ḥamza, *Shāmīl*, f. 187a.22). Abū Ṭālib al-Nāṭiq, having stated that the obligation turns on the absence of mortal danger (*Mabādi‘*, f. 64a.13), quotes ‘our teachers’ as holding that where one has good reason to believe that proceeding will be for the greater glory of the faith (*i‘zāz al-dīn*), one may do so (*ibid.*, f. 64a.15); this suggests that the distinction was inherited by ‘Abd al-Jabbār, and not originated by him. The distinction does not in fact appear in the account of *al-amr bi‘l-ma‘rūf* given by ‘Abd al-Jabbār in his *al-Uṣūl al-khamsa*, but the treatment given there is after all very brief (see above, 202). Muwaffaq al-Shajārī reports a deviant Mu‘tazilite view to the effect that heroism for the greater glory of the faith was commendable when Islam first began, but is no longer so now that the religion has spread and become dominant (*Ihāṭa*, f. 138a.8).

⁷⁵ This phrase recurs (*ibid.*, 148.17, 741.16; in the first passage, read *al-gharaḏ* for *al-farḏ*).

⁷⁶ *Ibid.*, 144.1. Similarly above, 202 (‘Abd al-Jabbār); Abū Ṭālib al-Nāṭiq, *Mabādi‘*, f. 64a.9; Ibn al-Malāḥimī, *Fā‘iq*, f. 257b.4; Zamakhsharī, *Minhāj*, 77.8; Zamakhsharī, *Kashshāf*, 1:398.1; Ḥimmaṣī, *Munqidh*, 2:220.15; Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:310.12; Yahyā ibn Ḥamza, *Shāmīl*, f. 191a.20. Abū Ṭālib al-Nāṭiq’s account is unusual in that he makes use of the ‘three modes’ of Sunnī doctrine (*qalb*, *lisān*, *yad*); but it seems clear from the context that by *karāhat al-qalb* he intends a manifestation of disapproval which could have a real impact on the offender.

wrong. In the first, the verbal act of commanding is all we are obligated to perform; we have no duty to force a man to pray. In the second, forbidding alone is not enough; rather, provided the conditions are satisfied, we have a duty actively to prevent the wrong being committed. Thus if we have a wine-drinker in our power, we should first forbid him gently (*bi'l-qawl al-layyin*);⁷⁷ if he continues, we should speak harshly to him (*khāshshannā lahu 'l-qawl*); if he persists, we should beat him (*ḍarabnāhu*); if even this does not deter him, we should fight him (*qāṭalnāhu*, sc. with weapons) till he desists.}⁷⁸

5. *Manifesting disapproval*

At this point Mānkḍīm quotes 'Abd al-Jabbār asking himself a question.⁷⁹ Suppose that, by reason of the non-fulfilment of the specified conditions, someone is not obligated. Does he then have any other obligation in this context (*taklīf ākhar fī ḥādihā 'l-bāb*)? The answer is that it depends on his character. If he is the sort of virtuous and respectable person who would never be supposed to approve of what was going on, he has no obligation. If, on the other hand, he is the kind of man who might be expected to go along with wrongdoing, he should make a point of manifesting his disapproval (*karāha*) in order to avoid any suspicion to the contrary – and also because doing so is benevolent and beneficial (*li-anna fīhi lutfan wa-maṣlaḥa*).⁸⁰

6. *Categories of wrong*

Wrongs (*manākir*) are the kind of thing that invites taxonomy, and Mānkḍīm, again quoting 'Abd al-Jabbār, now proceeds to provide it. He

⁷⁷ Cf. Q20:44.

⁷⁸ Mānkḍīm, *Ta'liq*, 744.13. Note that when Mānkḍīm refers to fighting, he does not use the ugly word 'sword'. It is equally unmentioned in the accounts stemming from Abū 'l-Ḥusayn (see the references given above, note 76). Abū Ṭālib al-Nāṭiq, however, speaks bluntly of arms (*silāḥ*) (*Mabādi'*, f. 64a.11, and see f. 64a.18), and Farrazādhī talks of the sword (*Ta'liq*, f. 154b.23).

⁷⁹ The formula used is: 'Then he (may God have mercy on him) asked himself'. Mānkḍīm is here directly quoting 'Abd al-Jabbār (see Gimaret, 'Les *Uṣūl al-ḥamsa*', 56). He continues to quote him through sections 6–8 below, and again in section 10, and also refers to him in the second passage in section 13. In the other sections it is not clear what is 'Abd al-Jabbār's contribution and what is Mānkḍīm's (cf. *ibid.*, 56f.), unless the introductory phrase 'know that . . . (*wa-'lam . . .*)' is a marker of the latter. It opens sections 4, 9, 11 and 12, and forms part of the opening of section 2; it also occurs twice in the second passage (*ibid.*, 744.13, 745.3, the latter a parallel to section 8).

⁸⁰ Mānkḍīm, *Ta'liq*, 144.9. Note that this is the section in which Mānkḍīm should have discussed the residual duty of performing *al-amr bi'l-ma'ruf* in one's heart – had he believed in it. He does not even speak of *karāhat al-qalb* in the sense in which it is used by Abū Ṭālib al-Nāṭiq (cf. above, note 76).

divides them up in two ways. His first partition of the field divides wrongs into those affecting oneself (*mā yakhtaṣṣ bihi*) and those that affect others (*mā yata‘addāhu*).⁸¹ Those affecting only oneself may in turn be subdivided into the significant (*mā yaqa‘ bihi ‘l-i‘tidād*) and the trifling (*mā lā yaqa‘ bihi ‘l-i‘tidād*). An example of a trifling wrong would be the theft of a dirhem from someone as rich as Korah; here reason establishes no obligation on the victim to rebuke the perpetrator (since he himself suffers no harm),⁸² though revelation does so. An example of a significant wrong would be the theft of a poor man’s only dirhem; here the poor man’s obligation to respond is established by both reason and revelation. {The second passage fills in the details: the obligation is established by reason, because the poor man thereby averts harm (*ḍarar*) from himself, and this is an obligation; and by revelation, inasmuch as Q3:110 makes no distinction between cases where the harm affects only oneself and those where it affects others.}⁸³ As to wrongs that affect others, there is disagreement among the Mu‘tazilites as to whether the duty to forbid such wrongs is established by both reason and revelation, or by revelation alone.⁸⁴ {The second passage makes no mention of this disagreement, and instead sets out the same distinction according to whether the wrong is significant or trifling; it specifies that there is a rational basis for the duty to forbid a significant wrong affecting others if it disturbs one.}⁸⁵ Thus far the first partition. The second partition of the field of wrongs set out by Mānkḍīm (or ‘Abd al-Jabbār) is closely related to the first, but has a different starting-point. In one category he places wrongs that are excusable (*yataḡhayyar ḥāluhu*) if they result from duress (*ikrāh*), namely those in which the harm done affects only oneself: in the other he places wrongs that are not so excusable, namely those in which the harm affects (*yata‘addā ilā*) others. Thus eating carrion, drinking wine or affirming unbelief are permitted if someone compels one to do them. However, in the last case one may not believe the words one is saying, but should inwardly affirm something like: ‘It is you who are forcing me to say: “God is the third of three”’ (cf. Q5:73). As for wrongs not excusable when perpetrated under duress, such as killing a Muslim or making false accusations of adultery (*qadhf*), these are not permitted. An exception is made where the wrongs involve only the property of others: it may be permissible to destroy the property of others

⁸¹ It is not immediately clear from the text to whom or to what the pronominal suffixes refer. The second passage, however, specifies *mā yakhtaṣṣ al-mukallaḡ* (sic, *ibid.*, 745.10).

⁸² *Ibid.*, 746.3. ⁸³ *Ibid.*, 745.13. ⁸⁴ *Ibid.*, 144.15; cf. section 2 (above, 206).

⁸⁵ *Ibid.*, 746.4 (cf. above, 206). Here again we see that, for Mānkḍīm, altruism is not a duty founded in reason. The first division of wrongs is also given by Yaḥyā ibn Ḥamza (*Shāmil*, f. 184b.21).

under duress, subject to subsequent compensation (*ḍamān*).⁸⁶ Thus the fundamental distinction in both partitions is between harm to oneself and harm to others.

7. *Proceeding in the absence of obligation*

An action can be virtuous without being obligatory. Suppose that someone who is legally competent is nevertheless not obligated to perform the duty (sc. because the conditions are not satisfied); is it still good (*ḥal yabqā ‘l-ḥusn*) for him to proceed? The answer is that it depends. If the unfulfilled condition is one of the first three (viz. knowledge of law, knowledge of fact or absence of worse side-effects), then it is not good. If it is the fourth or fifth (viz. the efficacy or danger condition), then the situation is as already described in setting out those conditions.⁸⁷ This still leaves up in the air the question whether it is good to proceed without any prospect of success, but endorses heroism where it redounds to the greater glory of the faith.

8. *Obligation and supererogation*

The fact that an action can be virtuous without being obligatory now leads to a further question. If right (*ma‘rūf*) can be either obligatory or non-obligatory, what is the status of the act of commanding such right? The answer is that it is obligatory to command the obligatory, but supererogatory (*nāfila*)⁸⁸ to command the supererogatory; the principle behind this is that the command cannot be more obligatory than what is commanded. We are given details of the history of this distinction among the Mu‘tazilites.⁸⁹ Wrong (*munkar*), however, cannot be divided in this manner. It is thus obligatory to forbid any wrong without distinction, provided always that the conditions are satisfied. One cannot argue for a category of wrongs that are minor (*ṣaghīra*), and so do not have to be forbidden, since permitting a minor wrong is itself a major wrong (*kabīra*); moreover, the obligation arises from the badness (*qubḥ*) of the

⁸⁶ Mānkdim, *Ta‘līq*, 145.3. This second division of wrongs is likewise given by Yahyā ibn Ḥamza (*Shāmil*, f. 184a.25). The topic of duress is not normally treated within the doctrine of *al-amr bi’l-ma‘rūf*, though some writers go on to discuss it immediately afterwards (see, for example, Ḥimmaṣī, *Munqidh*, 2:222.1), and Yahyā ibn Ḥamza himself includes a long treatment of it within his discussion of *al-amr bi’l-ma‘rūf* (*Shāmil*, ff. 187b.20–190b.8). Cf. also Muwaffaq al-Shajarī, *Iḥāṭa*, 139a.1; Muḥallī, *‘Umda*, 302.18.

⁸⁷ Mānkdim, *Ta‘līq*, 145.12. For the way this question is handled in the school of Abū ‘l-Ḥusayn, see below, 222f. ⁸⁸ The second passage uses *mandūb ilayhi* (*ibid.*, 745.5).

⁸⁹ See above, note 27.

wrong, and this is as much inherent in a minor wrong as it is in a major one.⁹⁰ The objection could be made that we cannot lump all wrongs together, since there are some about which expert opinion (*ijtihād*) may differ. The answer to this is essentially that expert opinion is concerned solely with determining whether something is wrong or not; once it has been established that it is wrong, there is no place for argument over the obligation to forbid it.⁹¹

9. *Relevance of law-schools*

Once again, Mānkḏīm reverts to taxonomy, but in a different way. Wrongs are of two types, those known to be wrong by reason, and those known to be so by revelation. Examples of the first are injustice (*ẓulm*), lying and the like. It is obligatory to forbid all such wrongs; this does not depend on who is being forbidden, provided he is legally competent. The second type, those known to be wrong by revelation, subdivides into two groups: those on which expert opinion may not differ, and those on which it may do so. The first group includes such things as theft, adultery and drinking wine; it is obligatory to forbid all of this, and again it does not depend on who is being forbidden. The second group includes drinking a type of liquor (*muthallath*)⁹² that is considered forbidden by some scholars but not by others.⁹³ In such a case, it does make a difference who is being forbidden. Thus if a Shāfi‘ite sees a Ḥanafī drinking such liquor, he has no business forbidding him, whereas if a Ḥanafī sees a Shāfi‘ite doing so, he should indeed forbid him. This does not, however, mean that a wrong thereby ceases to be one.⁹⁴

⁹⁰ Read *tajwīzūhā* for *bi-jawzihā* (*ibid.*, 146.17), and *li-qubḥihi* for *li-ṣiḥḥatihi* (in the following line, cf. the parallel in the second passage, *ibid.*, 745.9).

⁹¹ *Ibid.*, 146.9. The main lines of Mānkḏīm’s account in this section are standard Mu‘tazilite doctrine (see above, 202 (‘Abd al-Jabbār); Abū Ṭālib al-Nāṭiq, *Mabādi*, f. 64a.5; Jishumī, *Sharḥ*, ff. 265a.4, 266a.5; Jishumī, ‘*Uyūn*, f. 66a.11; Jishumī, *Tahdhīb*, f. 70a.8; Zamakhsharī, *Minhāj*, 77.2; Zamakhsharī, *Kashshāf*, 1:397.9; Ibn al-Malāhimī, *Fā’iq*, f. 265a.21; Ḥimmaṣī, *Munqidh*, 2:209.9; Yahyā ibn Ḥamza, *Shāmil*, f. 183a.21; and, with regard only to wrongs, Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:307.15).

⁹² Lane gives the sense as ‘wine cooked until the quantity of two thirds of it has gone’, or ‘the expressed juice of grapes so cooked’ (*Lexicon*, 349b).

⁹³ For the conflicting attitudes of Shāfi‘ites and Ḥanafīs to this type of liquor, see Marghīnānī (d. 593/1197), *Hidāya*, Beirut 1990, 3–4:450.13. Cf. also above, ch. 5, note 35, and ch. 6, note 151.

⁹⁴ Mānkḏīm, *Ta’līq*, 147.5; cf. also Zamakhsharī, *Kashshāf*, 1:396.10, and the taxonomy of wrongs given by Ibn al-Malāhimī (*Fā’iq*, f. 256b.25), Zamakhsharī (*Minhāj*, 78.4), Ibn Abī ‘l-Ḥadīd (*Sharḥ*, 19:308.6), and Yahyā ibn Ḥamza (*Shāmil*, f. 184a.8). This latter taxonomy is taken up below, note 144.

10. *Back to consensus*

We come now to a point that might well have been considered earlier.⁹⁵ How, it could be asked, can one maintain that commanding right and forbidding wrong are obligatory (on the ground of consensus), when there are people who hold them to be so only if there is a legitimate ruler (*imām muftaraḍ al-ṭāʿa*)?⁹⁶ Essentially the answer is that one who takes this view must maintain one of two positions: either that they are not obligatory by either word (*qawl*) or deed (*fiʿl*) in the absence of a legitimate ruler; or that in such a situation they are not obligatory by deed, but are so by word.⁹⁷ But both views are without foundation, since the evidence of Koran, tradition and (antecedent?) consensus does not differentiate between a situation in which there is a legitimate ruler and one in which there is not.⁹⁸ Consequently no attention is paid to such views.

11. *Role of the ruler*

At this point, by an association of ideas, Mānkḍīm takes up the role of the ruler in earnest. There are two varieties of the duty: what only rulers (*aʿimma*) can carry out, and what people at large (*kāffāt al-nās, afnāʾ al-nās*) can undertake. Examples of the former are such tasks as inflicting the set punishments (*ḥudūd*), defending the Muslim heartland and frontiers, dispatching armies, and appointing judges and governors. Examples of the latter are taking action against wine-drinking, theft, adultery and the like; if, however, there is a legitimate ruler, then even in such cases it is better to have recourse to him.⁹⁹ {In fact most of what falls under the duty can

⁹⁵ It belongs above, 206f.

⁹⁶ This is a distorted version of an Imāmī view (see below, ch. 11, 266–8).

⁹⁷ The second view is closer to the actual Imāmī position. In the *Iḥāṭa* of Muwaffaq al-Shajāri, the question is raised how one can claim consensus on the obligatoriness of *al-amr biʾl-maʿrūf* when the Imāmīs do not consider it obligatory; the answer given is that this is not how things are, since what the Imāmīs actually hold is that it is obligatory by word but not by deed (f. 136b.21). Muḥallī states the Imāmī position in the same way (*ʿUmda*, 296.2).

⁹⁸ Mānkḍīm, *Taʿlīq*, 148.1. Earlier Mānkḍīm has stated that one who disagrees with the principle of *al-amr biʾl-maʿrūf* by denying its obligatoriness outright is an infidel; if, however, he accepts its obligatoriness but makes it conditional on the presence of an imam, then he is merely in error (*mukḥṭiʾ*) (*ibid.*, 126.7). Jishumī strongly endorses the view that there does not have to be an imam (*Sharḥ*, f. 265a.5; *ʿUyūn*, f. 66a.4).

⁹⁹ Mānkḍīm, *Taʿlīq*, 148.9. Jishumī makes the same distinction (*Sharḥ*, f. 265a.5), but does not ascribe any preferential status to rulers in matters in which all can perform the duty. For the school of Abū ʿl-Ḥusayn, see Ibn al-Malāḥimī, *Fāʾiq*, f. 256b.1 (supporting the view that the duty is not restricted to rulers even in cases involving beating and fighting); Ḥimmaṣī, *Munqidh*, 2:210.5; Yaḥyā ibn Ḥamza, *Shāmīl*, ff. 183a.10, 183b.28, and cf. ff. 181a.25, 184b.29 (tending to the same view); and the references given below, note 148.

only be performed by rulers.¹⁰⁰ This emphasis on forbidding wrong as the business of the state is in part contextual: the passage forms part of Mānkdm’s opening statement in his discussion of the imamate, and justifies considering this institution under the rubric of forbidding wrong.}

12. *Collective obligation*

Again Mānkdm brings up a point that would have been better placed towards the beginning of his account. The purpose of the duty is to prevent right from being thwarted and wrong from occurring; so if this is achieved by one person, it ceases to obligate others. We accordingly classify the duty among the collective obligations (*furūd al-kifāyāt*),¹⁰¹ as opposed to the individual ones.

13. *Proceeding against beliefs*

We now turn to the question of forbidding wrongs that take the form of beliefs (*i‘tiqādāt*). The basic point is that, with regard to the obligation to forbid wrongs, there is no difference between those that are mental acts (*af‘āl al-qulūb*) and those that are bodily acts (*af‘āl al-jawāriḥ*). What makes it obligatory to forbid them is that they are bad, and this is a quality shared by both categories of act. It may be objected that mental acts are unobservable, and thus hidden (*mughayyab*) from us, which would mean that there is no duty to forbid them. Our reply to this is that some mental acts are in fact ascertainable; thus we know from the way ‘Alids behave (*min ḥāl al-‘Alawiyya*) how they hate the Umayyads and what they believe about them, just as we can be certain from the behaviour of a man who spends his life teaching and promoting a doctrine that he believes in it himself.¹⁰² Presumably no duty arises in regard to mental acts that are not manifested in such ways.

¹⁰⁰ Mānkdm, *Ta‘līq*, 749.9. Ibn al-Malāhimī likewise makes a transition here to his treatment of the imamate (*Fā‘iq*, f. 257b.15), while Yahyā ibn Hamza invokes the salience of the role of the imam to justify his presentation of *al-amr bi’l-ma‘rūf* as an aspect of the imamate (*min jumlat tawābi‘ al-imāma*, *Shāmīl*, f. 181a.25).

¹⁰¹ Mānkdm, *Ta‘līq*, 148.16. Similarly Abū Ṭālib al-Nāṭiq, *Mabādi‘*, f. 64a.7; Jishumī, *Tahdhīb*, ff. 69b.3, 70a.10; Ibn al-Malāhimī, *Fā‘iq*, f. 256b.20; Zamakhsharī, *Minhāj*, 77.8; Zamakhsharī, *Kashshāf*, 1:396.8; Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:308.3; Yahyā ibn Hamza, *Shāmīl*, f. 190b.19. Ḥimmaṣī here follows the contrary view of Ṭūsī (*Munqidh*, 2:220.7; see below, ch. 11, note 156). Muwaffaq al-Shajarī takes the view that it can be either, and supports this with sophisticated arguments (*Iḥāṭa*, f. 138a.23).

¹⁰² Mānkdm, *Ta‘līq*, 746.8. There follows a discussion of repentance of wrong beliefs (*ibid.*, 747.7) which, Mānkdm remarks, ‘Abd al-Jabbār had placed at this point, although it really belongs elsewhere (*ibid.*, 746.9); we can disregard it. The parallel passage in

This concludes our survey of the doctrine of Mānkdīm. Before we leave him, however, there is one question that needs to be taken up. As already mentioned, Mānkdīm was both a Zaydī and a Mu‘tazilite. In which doctrinal persona is he speaking in these passages? All the indications point to the Mu‘tazilite persona. The work is devoted to the classic ‘five principles’ (*al-uṣūl al-khamsa*) of the Mu‘tazilites; it is a commentary on a work by a non-Zaydī Mu‘tazilite from which it quotes extensively;¹⁰³ the earlier scholastic authorities whose views it adduces are likewise non-Zaydī Mu‘tazilites;¹⁰⁴ and in general, when Mānkdīm speaks of ‘our teachers’, the reference is to Mu‘tazilites, not Zaydīs.¹⁰⁵ Even the adduction of Ḥusayn as an exemplar could well be of Mu‘tazilite provenance.¹⁰⁶ Thus despite the uncertainty as to the extent of Mānkdīm’s departure from the underlying work of ‘Abd al-Jabbār when not actually quoting it,¹⁰⁷ we can take it that his doctrine is in all essentials Mu‘tazilite. In this sense, we can validly treat his account as representative of classical Mu‘tazilism. It does not follow that all of it is equally representative. Certain sections of the summary given above belong to the core of Mu‘tazilite doctrine on forbidding wrong; others are more peripheral.¹⁰⁸ At the same time, opinions differed on particular points. The next section should convey a sense of the extent – and the limits – of this variation.

4. CLASSICAL MU‘TAZILISM: RIVAL DOCTRINES

We can now turn from Mānkdīm to the other members of our trio, Abū ‘l-Ḥusayn and Jishumī. In the case of Abū ‘l-Ḥusayn, the discussion will centre on lines of transmission and differences of scholastic presentation. In the case of Jishumī, the focus will be on his strident political activism.

Farrazādhi’s *Ta’līq* includes an account of escalation in response to heresy (f. 155b.20): we start with kind words (‘don’t hold that belief, it’s false, and leads to perdition and hellfire’), and end with recourse to the sword, executing the heretic after he has refused to repent for three days. Yahyā ibn Ḥamza likewise discusses action against heresies (*al-madhāhib al-fāsida*, *Shāmīl*, f. 191b.22), but his treatment has little in common with Mānkdīm’s.¹⁰³ See above, note 79. ¹⁰⁴ See above, 199f.

¹⁰⁵ See Madelung, *Qāsim*, 182f. In our passages, the term *mashāyikhunā* occurs once (Mānkdīm, *Ta’līq*, 745.3); it clearly refers to the Mu‘tazilites, since it echoes the *mashāyikh min al-salaf* (*ibid.*, 146.11) of an earlier passage quoted from ‘Abd al-Jabbār.

¹⁰⁶ See above, 209, section 3, condition (5). For ‘Abd al-Jabbār’s recognition of the imamate of Ḥusayn, see ‘Abd al-Jabbār, *Mughnī*, 20:2:149.7, cited in McDermott, *Mufīd*, 124; and cf. Madelung, *Qāsim*, 185f.

¹⁰⁷ For contrasting views on this point, compare McDermott, *Mufīd*, 7, with Gimaret, ‘Les *Uṣūl al-ḥamsa*’, 56f.; and see above, note 79.

¹⁰⁸ I would assign sections 1–4, 7–9 and 12 to the core.

Abū ‘l-Ḥusayn al-Baṣrī (d. 436/1044) was a Ḥanafī Mu‘tazilite, a pupil of ‘Abd al-Jabbār who had a mind of his own;¹⁰⁹ he exercised a considerable influence on later Mu‘tazilism, both Sunnī and Shī‘ite.¹¹⁰ No relevant work of his is extant, but we can reconstruct the outlines of his doctrine of forbidding wrong with fair confidence from the writings of five later scholars who were linked to his school: the Khwārazmians Ibn al-Malāḥimī (d. 536/1141)¹¹¹ and Zamakhsharī (d. 538/1144),¹¹² the Imāmī Ḥimmaṣī (d. early seventh/thirteenth century),¹¹³ the Iraqi Ibn Abī ‘l-Ḥadīd (d. 656/1258),¹¹⁴ and the Yemeni Zaydī al-Mu‘ayyad Yaḥyā ibn Ḥamza (d. 749/1348f.).¹¹⁵ It is Ibn al-Malāḥimī’s account¹¹⁶ that stands in the clearest relationship to the heritage of Abū ‘l-Ḥusayn. The work in question (the *Fā‘iq*) is Ibn al-Malāḥimī’s own abridgement of his larger theological treatise (the *Mu‘tamad*), which in turn was based directly on a work of Abū ‘l-Ḥusayn (the *Taṣaffuḥ al-adilla*);¹¹⁷ and at several points in his treatment of forbidding wrong he refers to Abū

¹⁰⁹ See *EP*, *Supplement*, art. ‘Abū ‘l-Ḥusayn al-Baṣrī’ (W. Madelung), and *Encyclopaedia Iranica*, art. ‘Abū ‘l-Ḥusayn al-Baṣrī’ (D. Gimaret).

¹¹⁰ See Ibn al-Malāḥimī (d. 536/1141), *al-Mu‘tamad fi uṣūl al-dīn*, ed. M. McDermott and W. Madelung, London 1991, iii–x of the editors’ introduction.

¹¹¹ For Ibn al-Malāḥimī’s membership of the school of Abū ‘l-Ḥusayn, see *ibid.*, iii, vi, xif.

¹¹² For Zamakhsharī’s links to the school of Abū ‘l-Ḥusayn, see W. Madelung, ‘The theology of al-Zamakhsharī’, in Union Européenne d’Arabistes et d’Islamistes, *Actas del XII Congreso*, Madrid 1986, 488–93.

¹¹³ See Ibn al-Malāḥimī, *Mu‘tamad*, viii; Kohlberg, *Ibn Tawūs*, 19, 75, 354f. no. 590.

¹¹⁴ For a general account of the religious affiliations of this somewhat protean figure, see *EP*, art. ‘Ibn Abī ‘l-Ḥadīd’, 685f. (L. Vecchia Vaglieri).

¹¹⁵ For Yaḥyā ibn Ḥamza and his relationship to the school of Abū ‘l-Ḥusayn, see Madelung, *Qāsim*, 221f. The Leiden manuscript Or. 2,587 contains the latter part of a Zaydī Mu‘tazilite *kalām* treatise composed in 711–12/1311–12; the author is not named, but the title is given at the end of the manuscript as *al-Shāmil li-ḥaqā’iq al-adilla al-‘aqliyya wa-uṣūl al-masā’il al-dīniyya* (see P. Voorhoeve, *Handlist of Arabic manuscripts in the Library of the University of Leiden*, Leiden 1957, 328; Or. 2,587, f. 194a.6). Now Yaḥyā ibn Ḥamza is known as the author of a work the title of which is given by Hibshī as *al-Shāmil li-ḥaqā’iq al-adilla wa-uṣūl al-masā’il al-dunyawiyya* (sic) (*Maṣādir al-fikr al-Islāmī fi ‘l-Yaman*, 620 no. 31, noting two eleventh/seventeenth-century manuscripts). That the Leiden manuscript does indeed contain the latter part of the *Shāmil* of Yaḥyā ibn Ḥamza is clinched by the quotations from a Cairo microfilm of the work given by ‘Arif (*Ṣila*, 350–3); thus the quotation from the *Shāmil* footnoted in n. 9 corresponds to f. 182a.4 in the Leiden manuscript; that footnoted in n. 11 to f. 182a.28; and that footnoted in n. 15 to f. 181b.22. ‘Arif’s foliation is different from that of the Leiden manuscript, and his microfilm presumably derives from a copy found in Yemen. I am grateful to Gautier Juynboll for examining the Leiden manuscript for me, and to the Leiden University Library for supplying me with a microfilm. All references to the *Shāmil* of Yaḥyā ibn Ḥamza are to this manuscript.

¹¹⁶ Ibn al-Malāḥimī, *Fā‘iq*, ff. 256a.17–257b.16. What is extant of Ibn al-Malāḥimī’s much fuller *Mu‘tamad* unfortunately contains no treatment of *al-amr bi’l-ma‘rūf*.

¹¹⁷ He explains in the preface to his *Mu‘tamad* that this work is based on Abū ‘l-Ḥusayn’s *Taṣaffuḥ al-adilla* (see the editors’ introduction to the *Mu‘tamad*, xi); in the preface to the *Fā‘iq* he describes it as a condensed version of the *Mu‘tamad* (see *ibid.*, xiv, and *Fā‘iq*, f. 1b.6).

‘l-Ḥusayn by name.¹¹⁸ Zamakhsharī, by contrast, gives no indication of the provenance of the related material he incorporates, in a highly condensed form, in his well-known Koran commentary, as also in a short work on the principles of the faith which has recently been published.¹¹⁹ Ibn Abī ‘l-Ḥadīd is a little more helpful in introducing his account:¹²⁰ he at least makes it clear that he took his material on forbidding wrong (he leaves aside commanding right) from Mu‘tazilite authorities,¹²¹ and at one point he refers to Abū ‘l-Ḥusayn.¹²² When the three accounts are compared, it becomes evident that those of Zamakhsharī and Ibn Abī ‘l-Ḥadīd belong to a single tradition as against that of Ibn al-Malāḥimī.¹²³ An obvious hypothesis would be that both go back to a work of Abū ‘l-Ḥusayn other than that which is behind Ibn al-Malāḥimī’s account.¹²⁴

Turning to Ḥimmaṣī’s account,¹²⁵ this can be seen as a conflation of material from two distinct lines of the Baṣran Mu‘tazilite tradition. The first

¹¹⁸ Ibn al-Malāḥimī, *Fā’iq*, ff. 256b.15, 257a.9, 257a.22, 257a.25.

¹¹⁹ Zamakhsharī, *Kashshāf*, esp. 1:397.9–398.8 (to Q3:104); Zamakhsharī, *Minhāj*, 77f.

¹²⁰ Ibn Abī ‘l-Ḥadīd offers a systematic account of the duty, or more precisely of *al-nahy ‘an al-munkar*, towards the end of his *Sharḥ Nahj al-balāgha* (*Sharḥ*, 19:307–11). He gives cross-references to discussion of the duty earlier in the work (*ibid.*, 305.13, 306.12); however, none of the earlier passages I have found offers a comparably systematic account. In one passage he mentions that he had treated the subject in his works on *kalām* (*kutubī al-kalāmiyya*) (*ibid.*, 16:65.5).

¹²¹ It is presented as ‘a summary of what our companions say’ about the subject (*ibid.*, 19:307.10, and cf. 311.3); these companions are manifestly Mu‘tazilites, since Ibn Abī ‘l-Ḥadīd remarks that they consider *al-amr bi’l-ma’rūf* as one of the ‘five principles’ (*ibid.*, 306.12; cf. *ibid.*, 16:65.2, presenting this directly as his own view (‘*indānā*’).

¹²² *Ibid.*, 19:308.1, stating that ‘our *shaykh*’ Abū ‘l-Ḥusayn inclined to Abū ‘Alī al-Jubbā’ī’s view that reason shows *al-amr bi’l-ma’rūf* to be obligatory. Note also that, at two points, views that Ibn al-Malāḥimī explicitly characterises as those of Abū ‘l-Ḥusayn (*Fā’iq*, f. 257a.22, 257a.25) are presented by Ibn Abī ‘l-Ḥadīd as standard doctrine without attribution (*Sharḥ*, 19:310.5, 310.11).

¹²³ This can be seen by comparing both the sequence of topics and the wording. With regard to sequence, the one respect in which Ibn Abī ‘l-Ḥadīd’s *Sharḥ* departs significantly from the order of topics found in Ibn al-Malāḥimī’s *Fā’iq* is that it discusses the question who is to perform the duty before the question whom it is to be performed against; Zamakhsharī’s treatments side with the *Sharḥ* (*Fā’iq*, f. 257b.7; *Sharḥ*, 19:310.16; *Minhāj*, 78.7; *Kashshāf*, 1:398.3). With regard to wording, the formulation of the third condition for it to be good to proceed is typical: *Fā’iq*: *wa-minhā an lā yakūn al-munkar wāqī‘an li-annahu yudhamm ‘alayhi ba‘da ‘l-wuqū‘ lā an yumna‘ ‘anhu* (f. 257a.4); *Sharḥ*: *wa-minhā an yakūn mā yanbā‘ ‘anhu wāqī‘an li-anna ghayr al-wāqī‘ lā yaḥsun al-nahy ‘anhu wa-innamā yaḥsun al-dhamm ‘alayhi wa’l-nahy ‘an amthālihi* (19:309.4; the sense is garbled, one way to restore it being to move *ghayr* so that it precedes *wāqī‘an*); *Minhāj*: *wa-an yakūn al-amr ghayr wāqī‘ li-anna mā waqa‘a lā yunbā‘ ‘anhu wa-lākin ‘an mithlihi* (78.2); *Kashshāf*: *wa-an lā yakūn mā yanbā‘ ‘anhu wāqī‘an li-anna al-wāqī‘ lā yaḥsun al-nahy ‘anhu wa-innamā yaḥsun al-dhamm ‘alayhi wa’l-nahy ‘an amthālihi* (1:397.13).

¹²⁴ Elsewhere in his work Ibn Abī ‘l-Ḥadīd makes several references to Abū ‘l-Ḥusayn’s *Ghurur* (*Sharḥ*, 4:10.3, 10:212.4, 17:158.13, 18:115.7, 227.11), and mentions his own commentary on it (*ibid.*, 5:157.2). However, he also knows the *Taṣaffūh* (*ibid.*, 3:236.15, 238.3). ¹²⁵ Ḥimmaṣī, *Munqidh*, 2:209–21.

line, and the source of the greater part of his account, is the school of Abū ‘l-Ḥusayn, who is mentioned several times.¹²⁶ Some of this material is taken from Ibn al-Malāḥimī.¹²⁷ Some of it cannot derive from this source,¹²⁸ and must therefore go back to some other work of Abū ‘l-Ḥusayn or his disciples.¹²⁹ But in general, we have no way to tell whether we have to do with material copied from this source, or with extensively paraphrased material from Ibn al-Malāḥimī.¹³⁰ The other line of the Baṣran Mu‘tazilite tradition drawn on by Ḥimmaṣī is that represented by his fellow-Imāmīs the Sharīf al-Murtaḍā (d. 436/1044) and Abū Ja‘far al-Ṭūsī (d. 460/1067).¹³¹ Here again, while Ḥimmaṣī does not conceal his debt,¹³² the extent of his borrowing is greater than his explicit acknowledgements would indicate.¹³³ It is clear, however, that he owes all this material to a single work of Ṭūsī.¹³⁴

¹²⁶ *Ibid.*, 214.13, 217.7, 217.16, 219.6, 219.11.

¹²⁷ He is quoted twice as *ṣāhib al-Fā‘iq* (*ibid.*, 214.20, 217.19). The first passage (*ibid.*, 214.17–215.3) is taken from Ibn al-Malāḥimī, *Fā‘iq*, f. 256b.16–20, the second (*Munqidh*, 2:217.19–218.4) from *Fā‘iq*, f. 257a.10–14. Two further passages are so close to the corresponding discussions in the *Fā‘iq* that they are likely to be unacknowledged borrowings (*Munqidh*, 2:218.18–219.12 and *Fā‘iq*, f. 257a.17–257b.1; *Munqidh*, 2:220.2–6 and *Fā‘iq*, f. 257b.1–4); the first has a parallel in Ibn Abī ‘l-Ḥadīd (*Sharḥ*, 19:309.19–310.11), but this is significantly more distant.

¹²⁸ The substantial quotation from Abū ‘l-Ḥusayn at *Munqidh*, 2:217.7–15 cannot derive from *Fā‘iq*, f. 257a.9, and that at *Munqidh*, 2:217.16–18 has no parallel in the *Fā‘iq*.

¹²⁹ The obvious candidate would be Abū ‘l-Ḥusayn’s *Ghurār*, or a work deriving from it; this is what the editor of the *Munqidh* assumes (2:217 nn. 1f.), and cf. Ibn al-Malāḥimī, *Mu‘tamad*, viii of the editors’ introduction. The fact that the second quotation from Abū ‘l-Ḥusayn finds an unasccribed parallel in Ibn Abī ‘l-Ḥadīd (*Sharḥ*, 19:309.10) would tend to bear this out.

¹³⁰ For example, *Munqidh*, 2:209.14–210.8 stands in such a relationship to *Fā‘iq*, f. 256a.22–256b.2; likewise *Munqidh*, 2:210.14–211.2 and *Fā‘iq*, f. 256b.3–6. In some instances Ibn Abī ‘l-Ḥadīd offers a closer parallel to the *Munqidh* than does the *Fā‘iq* (a case in point is *Munqidh*, 2:221.16–20; *Fā‘iq*, f. 257b.7–11; *Sharḥ*, 19:311.1–3; and cf. Zamakhsharī, *Minhāj*, 78.7–9, and Zamakhsharī, *Kashshāf*, 1:398.6–8). But in other instances Ibn Abī ‘l-Ḥadīd’s version is yet more distant (a case in point is *Munqidh*, 2:209.6–13; *Fā‘iq*, f. 256a.18–22; *Sharḥ*, 19:307.15f.).

¹³¹ Murtaḍā (d. 436/1044), *Dhakhīra*, ed. A. al-Ḥusaynī, Qumm 1411, 553–60; Abū Ja‘far al-Ṭūsī (d. 460/1067), *Tamhīd al-uṣūl*, ed. A. Mishkāt al-Dīnī, Tehran 1362 sh., 301–6. These accounts will be considered among those of the Imāmī scholars (see below, ch. 11, section 3).

¹³² For references to Murtaḍā, see *Munqidh*, 2:210.9, 213.10, 213.18, 220.9, 221.8; for references to Abū Ja‘far al-Ṭūsī, see *ibid.*, 213.10, 213.17, 220.10, 221.7. He mentions both the *Dhakhīra* (*ibid.*, 213.10) and the *Tamhīd* (*ibid.*, 213.11, 220.11).

¹³³ Thus *Munqidh*, 2:213.1–8 is taken from *Tamhīd*, 302.7–13 (which is closer than *Dhakhīra*, 555.6–12); *Munqidh*, 2:218.9–11 is taken from *Tamhīd*, 303.5–7 (slightly closer than *Dhakhīra*, 556.10–12).

¹³⁴ A good example is *Munqidh*, 2:210.9–14, where Ḥimmaṣī explicitly quotes Murtaḍā; the quotation, though deriving ultimately from *Dhakhīra*, 560.6–9, reveals through its wording that it has been filtered through *Tamhīd*, 305.22–4. The parallel in Abū Ja‘far al-Ṭūsī (d. 460/1067), *Iqtisād*, Qumm 1400, 150.10–13 is significantly less close. In general, there is no evidence in Ḥimmaṣī’s discussion of *al-amr bi’l-ma‘rūf* that he had direct access to the *Dhakhīra*, or made any use of the *Iqtisād*.

Ḥimmaṣī’s own contribution is limited.¹³⁵ If we set aside the material derived from Murtaḍā and Ṭūsī, we can thus treat Ḥimmaṣī as a fourth representative of the school of Abū ‘l-Ḥusayn.

This leaves Yahyā ibn Ḥamza’s account.¹³⁶ This treatment is clearly in the tradition of Abū ‘l-Ḥusayn, inasmuch as it adopts his binary schema of conditions.¹³⁷ Abū ‘l-Ḥusayn himself is mentioned from time to time,¹³⁸ as is Ibn al-Malāḥimī.¹³⁹ But Yahyā ibn Ḥamza seems also to be in direct contact with the works of ‘Abd al-Jabbār.¹⁴⁰ To all his material he brings a very clear and explicit expository format which, so far I can judge from the sources available to me, is his own. The similarities between all five of these representatives of the school of Abū ‘l-Ḥusayn¹⁴¹ are extensive enough to suggest that they could ultimately stem from a single underlying text.

What of the relationship between all these accounts taken together and that of Mānkḍīm? Here the similarities are not such as to suggest an origin in a common text. There is, however, a substantial identity of basic doctrines,¹⁴² as might be expected given that both traditions stem from ‘Abd al-Jabbār. There are, of course, matters covered exclusively by Mānkḍīm.¹⁴³ Equally there are others that appear only in the treatments of the duty under consideration here. Thus we find in several of these accounts a taxonomy of potential wrongs that contains significant elements to which Mānkḍīm offers no parallel.¹⁴⁴ According to this classification, one category consists of things that are invariably wrong, such as injustice (*ẓulm*); we could call these intrinsic wrongs. The other category consists of things that may or may not be wrong; we could call these contingent wrongs. Within

¹³⁵ The only substantial passage that looks like his own work (*Munqidh*, 2:213.17–214.12) is one in which he asks how one might support a certain view of Ṭūsī’s against Abū Hāshim and Murtaḍā, and proceeds to supply an answer.

¹³⁶ Yahyā ibn Ḥamza, *Shāmīl*, ff. 181a–192b. For a digest, see A. M. Ṣubḥī, *Zaydiyya*, Cairo 1984, 306–11. ¹³⁷ Yahyā ibn Ḥamza, *Shāmīl*, ff. 185b.18–187b.4.

¹³⁸ As *ibid.*, ff. 182a.10, 187a.14, 192a.26. No work of his is mentioned.

¹³⁹ *Ibid.*, ff. 182a.23, 182b.14, 182b.28, 185a.22 (referring to him as ‘al-Khwārazmī’). The last reference, on the question of the performance of the duty by infidels, could well be to Ibn al-Malāḥimī, *Fā’iq*, f. 257b.12.

¹⁴⁰ He makes several references to the *Mughnī* (Yahyā ibn Ḥamza, *Shāmīl*, ff. 183a.22, 186b.4, 189b.9) and one to a *Ta’līq al-Muḥīṭ* (*ibid.*, f. 186a.25).

¹⁴¹ For example, the account of varieties of wrong in the *Sharḥ* (19:308.6) makes it possible to decipher the parallel in the *Fā’iq* (f. 256b.25).

¹⁴² Cf. the references given in the notes to my rendering of Mānkḍīm’s account, above, 205–16.

¹⁴³ The main items here are the theme of Mānkḍīm’s section 5, and the substance of his section 13 (above, 211, 216). As already indicated (see above, note 108), neither belongs to the core of topics regularly associated with the duty.

¹⁴⁴ Ibn al-Malāḥimī, *Fā’iq*, f. 256b.25; Zamakhsharī, *Minhāj*, 78.4; Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:308.6; Yahyā ibn Ḥamza, *Shāmīl*, f. 184a.8. Ḥimmaṣī has no parallel. Cf. sections 6 and 9 of Mānkḍīm’s account (above, 211–13, 214; the overlap is greatest with section 9).

the latter category, we again distinguish. There are cases that turn on the thing itself, as with archery, which is good or bad depending on whether the purpose of the activity is military preparedness or social frivolity. And there are cases that turn on the person, as with playing chess, which may be forbidden for an adherent of one law-school but not for a member of another.

More centrally, these accounts fill a major gap in Mānkdm's treatment of the duty by addressing two obvious questions: who is obligated to forbid wrong, and to whom?¹⁴⁵ The answer to the first question is every Muslim who is able to perform the duty and satisfies the conditions,¹⁴⁶ and perhaps in principle infidels too.¹⁴⁷ However, the imam and his deputies are better placed to undertake the duty where it involves fighting (*qitāl*).¹⁴⁸ The answer to the second question is every legally competent person (*mukallaf*) who satisfies the conditions.¹⁴⁹ At the same time the legally incompetent, such as boys and lunatics, should be restrained from doing harm to others, and boys should be broken in to religious duties such as prayer, even though these do not yet obligate them.

The most striking differences, however, relate to the conditions. One aspect of this is the way in which they are set out.¹⁵⁰ Where Mānkdm has one set of five conditions for obligation, the accounts deriving from Abū 'l-Ḥusayn have one set of five for it to be good to proceed,¹⁵¹ and a further

¹⁴⁵ Ibn al-Malāḥimī, *Fā'iḡ*, f. 257b.7; Ibn Abī 'l-Ḥadīd, *Sharḥ*, 19:310.16; Zamakhsharī, *Minhāj*, 78.7; Zamakhsharī, *Kashshāf*, 1:398.3. Ḥimmaṣī treats only the second issue (*Munqidh*, 2:221.16), while Yahyā ibn Ḥamza discusses these topics within a framework borrowed from Ghazzālī (see below, ch. 10, note 139).

¹⁴⁶ Presumably this would include women; but for Yahyā ibn Ḥamza's negative view, in tacit response to Ghazzālī, see below, ch. 10, 247.

¹⁴⁷ This question is raised by Ibn al-Malāḥimī, who inclined to give infidels some role (*Fā'iḡ*, f. 257b.12); Yahyā ibn Ḥamza adopts Ghazzālī's negative view, but also quotes Ibn al-Malāḥimī's (*Shāmīl*, f. 185a.19; for Ghazzālī's position, see below, ch. 16, 429f.).

¹⁴⁸ Ibn al-Malāḥimī, *Fā'iḡ*, f. 257b.13; Zamakhsharī, *Minhāj*, 78.8; Zamakhsharī, *Kashshāf*, 1:398.5; Ibn Abī 'l-Ḥadīd, *Sharḥ*, 19:310.19.

¹⁴⁹ Ibn al-Malāḥimī (*Fā'iḡ*, f. 257b.7) and Yahyā ibn Ḥamza (*Shāmīl*, f. 185b.7) include brief discussions of the immunity of the *ahl al-dhimma* in this connection.

¹⁵⁰ Ibn al-Malāḥimī, *Fā'iḡ*, f. 256b.22; Zamakhsharī, *Minhāj*, 77.12; Zamakhsharī, *Kashshāf*, 1:397.12; Ḥimmaṣī, *Munqidh*, 2:216.1; Ibn Abī 'l-Ḥadīd, *Sharḥ*, 19:308.5; Yahyā ibn Ḥamza, *Shāmīl*, f. 185b.18. Cf. section 3 of Mānkdm's account (above, 207–9).

¹⁵¹ The relationship of this set of conditions to Mānkdm's is as follows. The second, fourth and fifth conditions are essentially Mānkdm's first, third and fourth. The first condition is a stipulation that unaided common sense would tend to include in the second (knowledge of law): that the supposed wrong which is the target of the duty must actually be bad (this condition is omitted in the account in Zamakhsharī's *Kashshāf*). The third condition is roughly speaking a weakened form of Mānkdm's second (knowledge of fact): the wrong must not be one that has already happened (*wāqī'*, see above, notes 71, 123). Something is missing in Yahyā ibn Ḥamza's account of the first condition (*Shāmīl*, f. 185b.21), but cf. his account of the difference between this and the second condition (*ibid.*, f. 186a.3).

set of three (or two) for it to be obligatory.¹⁵² (Ḥimmaṣī’s account, while retaining the binary structure, is in some respects divergent.¹⁵³) Mānkḏīm does not, of course, ignore the distinction between what is good and what is obligatory, but he handles it in a way that is structurally less prominent, and indeed less elegant.¹⁵⁴ So far as I can see, there is no question of substantive doctrine at issue here except in one respect. This concerns the danger condition, or more precisely, situations in which this condition is not met. In such cases it is agreed that the obligation is voided; but as we have seen, the question arises whether it might still be virtuous to proceed in the face of danger. Here the standard doctrine of the school of ‘Abd al-Jabbār makes its distinction between cases where heroism would be for the greater glory of the faith, and cases where it would not; the school of Abū ‘l-Ḥusayn, by contrast, refuses to make this distinction, holding the greater glory of the faith to be at stake in all such cases.¹⁵⁵ This could reflect a greater zest for heroism on the part of Abū ‘l-Ḥusayn; but it could also arise from a concern not to compromise the elegance of his two-set schema by including forms of the danger condition in both sets.

With al-Ḥākim al-Jishumī (d. 494/1101) we are moving towards Zaydī Mu‘tazilism. A Ḥanafī Mu‘tazilite of the school of ‘Abd al-Jabbār, Jishumī was himself an ‘Alid, recognised the Zaydī imams, and was in some sense a Zaydī.¹⁵⁶ Much of what he has to say about forbidding wrong is close to, or identical with, the doctrine of Mānkḏīm.¹⁵⁷ The most conspicuous

¹⁵² The first of these is roughly speaking the rest of Mānkḏīm’s second condition: one must believe that the wrong is going to happen (unless prevented), as when one sees a man failing to prepare for prayer although its set time is fast approaching. The second and third conditions are Mānkḏīm’s fifth: absence of danger to oneself or one’s property respectively. (No specific mention of the third is made by Ibn Abī ‘l-Ḥadīd and Zamakhsharī.) The distinction between the two sets of conditions has a faint echo among the Mālikīs (see below, ch. 14, 363f., 374f.).

¹⁵³ He omits the third condition of the first set (cf. *Fā’iq*, f. 257a.4, and *Sharḥ*, 19:309.4; it would have found its place at *Munqidh*, 2:216.11); perhaps he regarded it as redundant in the light of the first condition of the second set. His discussion of this latter condition (*ibid.*, 218.7–17) mixes material from both the lines he draws on (cf. *Fā’iq*, f. 257a.16 and *Sharḥ*, 19:309.16 on the one hand, and *Tamhīd*, 303.5–12 on the other); in particular, he takes the key term he uses to formulate the condition (*amārat al-istimrār*) from the *Tamhīd* (303.8). When he comes to the second and third conditions of the second set (absence of danger to person and property respectively), he is careful to distance himself from the implied approval of heroism (*Munqidh*, 2:218.18, 219.19; cf. below, ch. 11, note 211).

¹⁵⁴ He discusses it within his presentation of his fourth and fifth conditions, and returns to it in section 7 of his account (see above, 213). ¹⁵⁵ See above, note 74.

¹⁵⁶ See Madelung, *Qāsim*, 186–91; al-Ḥākim al-Jishumī (d. 494/1101), *Risālat Iblīs ilā ikhwānīhi al-manāḥīs*, ed. Ḥ. al-Mudarrisī al-Ṭabāṭabā’ī, n.p. 1986, 8–11 of the editor’s introduction (for the vocalisation of the *nisba*, see *ibid.*, 8 n. 4); Gimaret, *Lecture*, 25f.

¹⁵⁷ This is apparent from the references to Jishumī’s views given in the notes to my rendering of Mānkḏīm’s account, above, 205–16.

respect in which it differs from it is a strongly activist tone which it shares with Zaydī Shī‘ism.

This activism finds a particularly lively expression in a short polemical tract by Jishumī entitled ‘The epistle of the devil to his baleful brethren’. Here Jishumī has the devil explain that he has disseminated quietist notions of rendering obedience to every usurper, with the purpose of subverting the imamate, the forbidding of wrong, and rebellion against unjust rule. His brethren, the devil continues, had accepted this infernal propaganda, and were busy relating traditions in support of it. The Mu‘tazilites, by contrast, had vigorously opposed it: they stood for the imamate of the just and the forbidding of wrong, and transmitted traditions accordingly.¹⁵⁸

It is thus more than dry scholasticism when Jishumī opens one of his systematic discussions of the duty with the statement that it is obligatory by word and sword.¹⁵⁹ How strongly he identifies forbidding wrong with resistance to unjust rule is apparent from his formulation of the contrary view espoused by the traditionists (Ḥashwiyya): ‘Obedience (*inqiyād*) is due to whoever wins (*ghalaba*), even if he is an oppressor (*ẓālim*).’¹⁶⁰ And as might be expected, Jishumī repeats the view that it is good to forbid wrong even in the face of mortal danger, provided always that this would be to the greater glory of the faith.¹⁶¹

5. CONCLUSION

Three general features of Mu‘tazilite views of forbidding wrong have become apparent in the course of this survey. The first is the consistently analytical style in which these views are presented.¹⁶² Against the background of the Ḥanbalite attitudes discussed in the preceding chapters, the structured approach of the Mu‘tazilites stands out in stark relief. Abū Ya‘lā’s account does, of course, provide a significant parallel, but what he represents is precisely a Ḥanbalite appropriation of a Mu‘tazilite format. It is no accident that in this chapter I have told no entertaining stories, and reported no casual conversations. Apart from Jishumī’s impersonation of the devil, all is dialectic.

¹⁵⁸ Jishumī, *Risālat Iblīs*, 97.8.

¹⁵⁹ Jishumī, *‘Uyūn*, f. 65b.20; and cf. his *Sharḥ*, f. 264b.12. It should be noted that the relationship between these two works is not that of text and commentary; rather the *Sharḥ* is a much-expanded version of the *‘Uyūn*.

¹⁶⁰ Jishumī, *Sharḥ*, f. 264b.8. The parallel passage in the *‘Uyūn* formulates their position on forbidding wrong simply as ‘It is not obligatory’ (f. 66a.1).

¹⁶¹ See above, note 74.

¹⁶² The account I have given in this chapter considerably underplays the dialectical intricacy that Mu‘tazilite accounts of forbidding wrong can attain. The reader who does not find my presentation of Mānkḏīm sufficiently advanced should try the account of the duty given by Muḥallī, a later representative of the same line (*‘Umda*, 290–304).

This systematisation of Mu‘tazilite thinking is by no means perfect: even Mānkdm̄’s account, after a well-organised start, tails off into a miscellany in which opportunities are missed and items are out of place.¹⁶³ The analytical impulse in Mu‘tazilite thought is nonetheless a strong one. What pleased Abū ‘l-Ḥusayn about his presentation of the conditions of obligation is doubtless what pleases us: the result is more of a structure and less of a list.

The second feature of Mu‘tazilite views is the underlying homogeneity of doctrine over space and time. The school of Abū ‘l-Ḥusayn differs from other members of the school of ‘Abd al-Jabbār on two related questions: how to organise the conditions of obligation, and how widely to apply the principle that it is virtuous to proceed for the greater glory of the faith.¹⁶⁴ Abū Ṭālib al-Nāṭiq, representing a tradition that goes back to the teacher of ‘Abd al-Jabbār, gives an account of the duty which diverges only in detail from those of the pupils of ‘Abd al-Jabbār.¹⁶⁵ At a still earlier date, the Jubbā’īs disagree on the question of the source of the duty in a manner that sets the terms of all later presentations of the issue.¹⁶⁶ All this, of course, goes back to a single line of the Baṣran school; we know too little of the doctrines of other lines, or of the Baghdādī Mu‘tazilites. But the little we do know, as in the case of the Baghdādī Rummānī, does not suggest that the blank areas on our map were filled with anything very exotic;¹⁶⁷ the same is true of the earlier Baghdādī Abū ‘l-Qāsim al-Balkhī.¹⁶⁸ I have already noted the lack of any positive evidence of doctrinal archaism among the early Mu‘tazilites.¹⁶⁹ In sum, these and other divergences do not

¹⁶³ Cf. above, ch. 6, 137f.

¹⁶⁴ See above, 222f. Cf. also the anonymous disagreement reported by Mānkdm̄ regarding the question whether it is good to proceed if it will not work (see above, note 73).

¹⁶⁵ See the references to his account in the notes to my summary of Mānkdm̄’s doctrine (above, 205–16). Only Abū Ṭālib al-Nāṭiq’s use of the ‘three modes’ of Sunnī tradition stands out as an anomaly in the context of formal statements of Mu‘tazilite doctrine (see above, note 76). Elsewhere this idea makes sporadic appearances, but in works that belong to other genres. Thus Jishumī refers to the ‘three modes’ tradition in his Koran commentary, where he endorses its categories, including performance in the heart (*Tahdhīb*, f. 70a.7). Likewise Ibn Abī ‘l-Ḥadīd seems quite receptive to the idea when he is not quoting Mu‘tazilite school doctrine (see *Sharḥ*, 19:312.7, where he speaks of performance in the heart (*al-inkār bi’l-qalb*) as the last of the modes).

¹⁶⁶ See above, note 25. As we have seen, Abū Hāshim’s revelationist view is standard, but Abū ‘Alī had occasional sympathisers (see above, note 37, for Rummānī, and note 122, for Abū ‘l-Ḥusayn). ¹⁶⁷ See above, 201.

¹⁶⁸ For his rather restrictive view of recourse to arms, see above, note 23; for his failure to make a certain distinction with regard to obligatory and supererogatory acts, see above, note 27.

¹⁶⁹ See above, 203. From the material covered in this chapter, it might appear that reference to ‘being able to’ perform the duty constitutes an archaic way of expressing some or all of the conditions that appear in the classical texts (cf. above, notes 13, 21, 40). But the fact that ‘Abd al-Jabbār still speaks this way (see above, note 42) counts against such a hypothesis; and Imāmī authors in the Mu‘tazilite tradition continue the usage (see below, ch. 11, 278–80).

amount to deep cleavages; it would not be a wild guess that all the basic elements of the doctrine of forbidding wrong had been pretty much the same for all Mu‘tazilites since the first half of the third/ninth century.

The third and final feature of the Mu‘tazilite accounts of the duty is the activism that runs through them in varying degrees. To start with a negative point, most of these accounts are silent regarding performance in the heart, an idea with an obvious quietist potential.¹⁷⁰ At the same time, Mu‘tazilite opinion is overwhelmingly in favour of heroism that redounds to the greater glory of the faith.¹⁷¹ Most tellingly, all are willing to countenance lethal combat (*qitāl*) where the duty requires it. There may, however, be a significant nuance here. Mānkḏīm and the writers in the tradition of Abū ʿl-Ḥusayn make no explicit reference to the use of weapons,¹⁷² and either recommend recourse to the ruler, or emphasise that he is better placed to engage in such combat than ordinary believers.¹⁷³ Jishumī, by contrast, has no qualms about referring to the sword, and makes no such qualification.¹⁷⁴ It goes well with this that Jishumī, alone among the classical writers, identifies forbidding wrong with rebellion against unjust rule, and does so in a tone of marked enthusiasm.¹⁷⁵

¹⁷⁰ For the exceptions, see above, notes 76, 165.

¹⁷¹ See above, notes 7, 36, 74, 155. The only dissent comes from the anonymous view reported by Muwaffaq al-Shajārī (above, note 74).

¹⁷² See section 4 of Mānkḏīm’s account (above, 210f.), and esp. note 78.

¹⁷³ See section 11 of Mānkḏīm’s account (above, 215f.), and above, note 148. Compare Abū ʿl-Qāsim al-Balkhī’s restrictive view of recourse to arms (above, note 23).

¹⁷⁴ See above, notes 159 and 99 respectively. Yet Jishumī is one of the few Mu‘tazilite authors to mention performance in the heart (see above, note 165).

¹⁷⁵ See above, 224. When ‘Abd al-Jabbār discusses the death of Ḥusayn ibn ‘Alī, he does not raise the issue of rebellion (see above, note 74). For two other instances of a strikingly activist tone in authors with Mu‘tazilite links, see below, ch. 12, 336–8 (and cf. ch. 13, 347), and ch. 13, 340f.

CHAPTER 10

THE ZAYDĪS

1. INTRODUCTION

This and the following chapter are concerned with Shī'ite conceptions of forbidding wrong. Shī'ite Islam is a ramified phenomenon. But of the numerous Shī'ite sects that have existed at one time or another, only two will receive sustained attention in this study: the Zaydīs in this chapter, and the Imāmīs in the next. The reasons for this limitation are not far to seek. These sects have preserved large bodies of religious literature down to the present day, so that their doctrines are accessible to serious study. At the same time, they have always been sufficiently close to the mainstream of Islamic thought to support a body of ideas comparable to those of Sunnī Islam. The other major Shī'ite sect of Islamic history, the Ismā'īlīs, has less to offer on both counts, but I shall devote a short excursus to it at the end of the chapter on the Imāmīs.

The Zaydīs and Imāmīs have much in common. Both are Shī'ite sects, both developed elaborate traditions of legal scholarship, and both adopted Mu'tazilite theology. But they also diverged in significant respects. The most important of these differences for the purposes of this study concern religious politics. Here both sects were firmly committed to doctrines of 'Alid power, but they disagreed on two basic questions. The first was precisely who among the 'Alids should rule: where the Zaydīs saw the family of the Prophet as a large and continuing pool of potential rulers, the Imāmīs were committed to a single line of imams which eventually ended in occultation. The second question was what, if anything, was to be done if the right 'Alid was not in fact ruling: where the Zaydīs were activists, the Imāmīs were quietists. As will be seen, these contrasts strongly colour their respective conceptions of forbidding wrong.

2. EARLY ZAYDĪ DOCTRINE

The study of Zaydī Shī‘ism is adversely affected by the fact that large numbers of Zaydī manuscripts remain unpublished.¹ At the same time, most Zaydī literature represents a form of the sectarian tradition already marked by an extensive adoption of Mu‘tazilism. As a result our knowledge of pre-Mu‘tazilite Zaydism is limited, both in general and in the specific case of the doctrine of forbidding wrong.²

One of the more accessible early Zaydī sources is a collection of traditions ascribed to Zayd ibn ‘Alī (d. 122/740). In substance its traditions are often more or less familiar from Sunnī sources, in which they are likely to be found with Kūfan chains of transmission; in form they are transmitted by Zayd from his ‘Alid forbears. The work contains some seven traditions that bear on forbidding wrong.³ The doctrinal payload of these traditions is slight – they make much of the duty, but do not analyse it. They fall into two groups. The first relates forbidding wrong to holy war. Forbidding wrong is equivalent in virtue to holy war.⁴ The dominance of the wicked no more vitiates forbidding wrong than unjust rule invalidates holy war or the pilgrimage.⁵ One who performs the duty (and is killed) is a martyr (*shahīd*).⁶ He has the same status as one who wages holy war in the way of God, irrespective of whether he is obeyed.⁷ The second group is concerned with the prospects or consequences of the abandonment of forbidding wrong. Its decay will affect first the hand, then the tongue, then the heart.⁸ If the community ceases to perform the duty, God will give the wicked power over them.⁹ No community that fails to perform it

¹ As will be seen, I have made considerable use of Zaydī manuscripts in this chapter (as also in the preceding one); but those I have consulted are only a small proportion of those available, and more extensive research in them would refine and extend much of my analysis. I regret that I realised too late the possible interest of the one surviving Muṭarrif dogmatic treatise for the Baghdādī Mu‘tazilite tradition (cf. below, ch. 11, note 142).

² For pre-Mu‘tazilite Zaydī doctrine in general, see Madelung, *Qāsim*, 44–86.

³ Zayd ibn ‘Alī, *Majmū‘ al-fiqh*, 235–8 nos. 851, 853, 856; 273 no. 942; 294 nos. 994–6 (cited in Madelung, *Qāsim*, 56 n. 79). The first three of these traditions are in the *kitāb al-siyar*. On the *Majmū‘ al-fiqh*, see *ibid.*, 54–7.

⁴ Zayd, *Majmū‘*, 235f. no. 851 (from the Prophet). ⁵ *Ibid.*, 236 no. 853 (from ‘Alī).

⁶ *Ibid.*, 238 no. 856 (from the Prophet). The tradition has obvious Sunnī parallels in that it lists five categories of people who are accounted martyrs (see, for example, Muslim, *Ṣaḥīḥ*, 1,521 nos. 1,914f.); but the Sunnī versions make no reference to *al-amr bi’l-ma‘rūf*.

⁷ Zayd, *Majmū‘*, 273 no. 942, also found in Abū Ṭālib al-Nāṭiq, *Amālī*, 295.15 (both from Zayd himself).

⁸ Zayd, *Majmū‘*, 294 no. 994 (from ‘Alī). For a Sunnī parallel, see Ibn Waḍḍāḥ, *Bida‘*, 231 = 361 no. 64 (the *isnād* is Kūfan; for ‘Abū Ḥanīfa’ read ‘Abū Juḥayfa’); and cf. Abū Ṭālib al-Nāṭiq, *Amālī*, 295.21, with a similar *isnād*.

⁹ Zayd, *Majmū‘*, 294 no. 995 (from ‘Alī); Abū Ṭālib al-Nāṭiq, *Amālī*, 293.15 (from the Prophet). For Sunnī parallels, see above, ch. 3, note 19.

is deemed holy.¹⁰ Two things are noteworthy about this small corpus of traditions. One is the activist strain evident in the first group,¹¹ with their linkage of forbidding wrong to holy war. The other is the fact that it is the traditions of the second group, not the first, that have close Sunnī parallels;¹² particularly striking here is the appearance in the second group of the notion of performance in the heart.¹³

The earliest Zaydī authority of whose opinions we know something in this field is the rather eirenic Qāsim ibn Ibrāhīm al-Rassī (d. 246/860f.).¹⁴ In general, Qāsim has rather little to say about forbidding wrong.¹⁵ I have noted three responsa in which he is asked about it. In the first he gives an anodyne definition of right (*ma'rūf*) and wrong (*munkar*) in terms of obedience and disobedience to God.¹⁶ In the second he insists that one has a duty to reprove one's neighbours for such offences as drinking, even should this elicit their hostility, unless one is afraid that they will do one a mischief.¹⁷ In a third responsum, he is asked at what point one incurs the duty to obey the imam, and whether he will make himself known; in the course of answering the latter question, Qāsim states that the imam will

¹⁰ Zayd, *Majmū'*, 294 no. 996 (from the Prophet). For Sunnī parallels, see above, ch. 3, note 36.

¹¹ Cf. the long activist tradition quoted from 'Alī with a partly 'Alid *isnād* through Muḥammad al-Bāqir (d. c. 118/736) in Abū Ṭālib al-Nāṭiq, *Amālī*, 294.9. This tradition also appears in Imāmī sources ascribed to al-Bāqir himself; the key figure in the *isnād* is, however, a Ḥanafī (see below, ch. 11, 256).

¹² In each case these are found with Kūfan *isnāds*.

¹³ Cf. also the tradition quoted in Abū Ṭālib al-Nāṭiq, *Amālī*, 299.8, with a Sunnī *isnād*.

¹⁴ On Qāsim ibn Ibrāhīm see Madelung, *Qāsim*, 86–152. Madelung in this study categorised Qāsim as in no real sense a Mu'tazilite, and declared spurious certain works of a marked Mu'tazilite character which the Zaydī tradition ascribes to him. Both these points were contested by B. Abrahamov (see the introduction to his *Al-Qāsim b. Ibrāhīm on the proof of God's existence*, Leiden 1990). Madelung, however, has maintained his position on both counts, and has adduced convincing new evidence in support of it (see his 'Imam al-Qāsim ibn Ibrāhīm and Mu'tazilism').

¹⁵ Abrahamov, who as is to be expected is concerned to maximise any Mu'tazilite resonances in Qāsim's thought, states that the idea, but not the term, appears in some passages of Qāsim's *Hijra* (*Qāsim*, 52). I have not seen this work, for which see Madelung, *Qāsim*, 138–40. Qāsim's view that one may not reside in a land in which wrong prevails and cannot be righted (or the like) is widely reported, as for example by Jishumī (*Sharḥ*, f. 270b.5, and his 'Uyūn, f. 68b.2) and Ibn al-Murtada (*Qalā'id*, 152.15, and *Durar*, f. 247a.4); and it is shared among others by al-Mahdī Aḥmad ibn al-Ḥusayn (d. 656/1258) (*Mufīd*, ms. London, British Library, Or. 3,811, f. 134b.6; for this manuscript, see Rieu, *Supplement*, 221f. no. 346, item I); and see R. al-Sayyid, 'al-Dār wa'l-hijra wa-aḥkāmuhā 'ind Ibn al-Murtadā', *Ijtihād*, 3 (1991), 220. Abrahamov also cites the explicit discussion of the duty in a short work entitled *al-'Adl wa'l-tawḥīd* ('Umāra, *Rasā'il*, 1:130.15, with emphasis on the sword). However, Madelung has shown the ascription of this work to Qāsim to be spurious (*Qāsim*, 97f., and 'Imam al-Qāsim ibn Ibrāhīm and Mu'tazilism', 47).

¹⁶ Qāsim ibn Ibrāhīm (d. 246/860f.), *Masā'il manthūra*, ms. London, British Library, Or. 3,977, f. 24a.17 (for this collection, see Rieu, *Supplement*, 124–6 no. 203, item II).

¹⁷ Qāsim ibn Ibrāhīm, *Masā'il*, f. 55a.17. He uses the term *taqīyya*, and cites Q3:28 (cf. below, ch. 12, note 204).

make himself known through forbidding wrong¹⁸ – a rather pale adumbration of a classic Zaydī theme. Finally, there is a short text of Qāsim’s from which forbidding wrong is strikingly absent. Here he sets out five Islamic principles which every Muslim must know.¹⁹ The first three are indeed those of the classic Mu‘tazilite schema. The last two, however, are conspicuously different, with forbidding wrong being replaced by a statement on the illegitimacy of making a living under unjust rule.²⁰ The practical import of this stance is not indicated; but given what we know of Qāsim’s politics, it is unlikely to have been activist.²¹

The only other pre-Mu‘tazilite Zaydī authority for whom I have attestations – all deriving from later sources – is al-Nāṣir al-Uṭrūsh (d. 304/917), a more typically Zaydī figure.²² He is the only pre-Mu‘tazilite Zaydī scholar cited in the account of forbidding wrong given by Ibn al-Murtaḍā (d. 840/1437) in his work on comparative law: he held that it was permissible for one to raid (*an yahjūm*) a house if one had reason to believe (thanks to noise or the like) that a wrong was being perpetrated there.²³ He likewise took the view that no compensation is payable for breaking a wine-jar when one cannot otherwise pour out the wine.²⁴ These views look like isolated fragments of a larger picture that is mostly lost to us. One source, however, quotes from Uṭrūsh a brief scholastic account of forbidding wrong (*inkār al-munkar*): one should do it so far as one is able, by words if it seems likely to one (*idhā ghalaba fī ḡannihi*) that they will suffice, by the whip if words are of no avail, and finally, if one can, by the sword if the offender has not desisted; he adds that the performer of the duty is like a doctor.²⁵

¹⁸ *Ibid.*, f. 57b.12; see Madelung, *Qāsim*, 143.

¹⁹ The text was published in E. Griffini, ‘Lista dei manoscritti Arabi Nuovo Fondo della Biblioteca Ambrosiana di Milano’, *Rivista degli Studi Orientali*, 7 (1916–18), 605f., item xv; it appears also in ‘Umāra, *Rasā’il*, 1:142. On this text see Madelung, *Qāsim*, 103f., and Gimaret, ‘Les *Uṣūl al-ḥamṣa*’, 66–8.

²⁰ Griffini, ‘Lista’, 606.7; ‘Umāra, *Rasā’il*, 1:142.15. The legality of earning a living is linked to *al-amr bi’l-ma’rūf* in the long activist tradition referred to above, note 11 (see, for example, Abū Ṭālib al-Nāṭiq, *Amālī*, 294.15).

²¹ See Madelung’s commentary, *Qāsim*, 138 (and cf. *ibid.*, 68). ‘Umāra, who is interested in Zaydī texts for their political radicalism, reads the principle in an activist sense (*Rasā’il*, 1:142 n. 2, quoted in turn in Y. ‘A. al-Faḍl, *Man hum al-Zaydiyya?*, Beirut 1975, 93.9; this latter work was brought to my attention by Bernard Haykel).

²² For his anti-Mu‘tazilite stance, see Madelung, *Qāsim*, 161–3. Uṭrūsh quotes a bland Prophetic exhortation to *al-amr bi’l-ma’rūf* near the beginning of his *ḥisba* manual (R. B. Serjeant, ‘A Zaidī manual of ḥisbah of the 3rd century (H)’, *Rivista degli Studi Orientali*, 28 (1953), 11.15, with an ‘Alid *ismād*), but this work, as might be expected, is not otherwise concerned with the individual duty.

²³ Ibn al-Murtaḍā, *Baḥr*, 5:466.5; also ‘Alī ibn al-Ḥusayn, *Luma’*, f. 221a.10, and cf. the scholion thereto.

²⁴ Ibn Miftāḥ, *Muntaza’*, 4:587.7, and the scholion to ‘Alī ibn al-Ḥusayn, *Luma’*, f. 221a.17.

²⁵ See al-Manṣūr ‘Abdallāh ibn Ḥamza (d. 614/1217), *al-Durra al-yaṭīma*, ms. London,

This is a poor yield. It is not until Uṭrūsh that we encounter anything suggestive of an organised Zaydī doctrine of forbidding wrong. Before that, our only significant finding is the existence of an activist tendency articulated in early traditions, alongside a quietist mood that appears in the thought of Qāsim ibn Ibrāhīm. As we will see in the next section when we turn to Zaydī politics, it was the activist strain that was to prove typical of the Zaydī mainstream down the centuries.

3. ZAYDĪ ACTIVISM

The context in which forbidding wrong figures most prominently in the record of early Zaydism relates directly to the political activism that is characteristic of the sect. Zaydism laid claim to, and continued, an old ‘Alid pattern: rebellion against unjust rule with the aim of establishing a legitimate imamate. References to forbidding wrong are a recurring (though not an inevitable) feature of accounts of such ‘Alid risings.

As might be expected, these references are not confined to narrowly Zaydī sources and figures. Thus Abū Mikhnaf (d. 157/773f.), a Shī‘ite historian well known to mainstream historiography, reports a speech made by Ḥusayn (d. 61/680) prior to the battle of Karbalā’ in which he quotes the Prophet as condemning anyone who fails to take action against an unjust ruler (*lam yughayyir ‘alayhi*) by deed or word.²⁶ Abū ‘l-Faraj al-Iṣbahānī (d. 356/967), a Zaydī²⁷ but likewise well known to mainstream literature, has Ja‘far al-Šādiq (d. 148/765) speak of rebellion for the sake of forbidding

British Library, Or. 3,976, f. 179b.19 (for this manuscript see Rieu, *Supplement*, 132 no. 210, item III), cited in E. Landau-Tasseron, ‘Zaydī imams as restorers of religion: *ihyā’* and *tajdīd* in Zaydī literature’, *Journal of Near Eastern Studies*, 49 (1990), 255 n. 34.

²⁶ Tabarī, *Ta’rīkh*, series II, 300.6 (I owe this reference to Nurit Tsafir, who acutely read *yughayyir* for the *yu‘ayyir* of the printed text); Abū Mikhnaf (d. 157/773f.), *Maqāt al-Ḥusayn*, Qumm 1362 sh., 85.9. Ḥusayn goes on to refer to himself as *aḥaqq man ghayyar*. Compare the speech that Abū Mikhnaf ascribes to ‘Abd al-Rahmān ibn Abī Laylā (d. 82/701) at the battle of Jamājim, in which the latter in turn quotes ‘Alī at the battle of Šifīn: whoever sees people being called to wrong, and disapproves of it in his heart (*an karahu bi-qalbihi*), has acquitted himself of his duty; whoever speaks out against it has done better; and whoever responds with the sword has found the path of right guidance (*ibid.*, series II, 1,086.9, whence the *Nahj al-balāgha* of the Sharīf al-Raḍī (d. 406/1015) *apud* Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:305.6; Ḥurr al-‘Amilī, *Wasā’il*, 6:1:405 no. 8; Majlisī, *Bihār*, 100:89 no. 69; Goldziher, *Le livre de Mohammed ibn Toumert*, 94f.). Cf. also the avowal of Zayd ibn ‘Alī that he would be ashamed to meet the Prophet at the resurrection if he had not performed the duty, apparently also transmitted by Abū Mikhnaf (Ibn ‘Inaba (d. 828/1424), *‘Umdat al-tālib*, ed. N. Riḍā, Beirut 1390, 207.20, a reference which I owe to Amikam Elad; the same avowal occurs with other *ismāds* in Abū Ṭālib al-Nāṭiq, *Amālī*, 100.24, 103.15).

²⁷ That he was a Zaydī is stated by Abū Ja‘far al-Ṭūsī (d. 460/1067) (*Fibrīst*, ed. M. Š. Āl Baḥr al-‘Ulūm, Najaf 1960, 223f. no. 896, cited in van Arendonk, *Débuts*, xv); and it finds support in his work (see his *Maqātīl al-Ṭālibīyyīn*, 689.5, showing his participation in a sectarian Zaydī academic milieu; see also Madelung, *Qāsim*, 59 n. 102).

wrong.²⁸ He also recounts how Mūsā al-Kāzim (d. 183/799), confronted with the head of the Ḥusayn ibn ‘Alī who was killed at Fakhkh in 169/786, pronounced him to have been one who commanded right and forbade wrong;²⁹ and he describes Ibn Ṭabāṭabā (d. 199/815) in his appeal to the people of Kūfa as calling them to forbid wrong.³⁰

This theme is continued in accounts of properly Zaydī pretenders.³¹ An example is Ḥasan ibn Zayd (d. 270/884), who established the first Caspian Zaydī state, though he does not seem to have claimed the imamate;³² when he initiated his venture in 250/864, forbidding wrong was part of the terms of allegiance.³³ Similarly al-Nāṣir al-Uṭrūsh is described as setting up his rule in Daylam and Gilān in 287/900 by converting pagans to Islam; thereafter he continued to rule there, commanding right and forbidding wrong, abolishing oppressive taxes and the like.³⁴ Clearly this link between forbidding wrong and state formation does not imply any denial of the individual Zaydī’s duty to command and forbid. Indeed we have already encountered some pronouncements of Uṭrūsh on this aspect of the duty.³⁵ But the politically excited

²⁸ Ja‘far is distinguishing between such rebellion and the role of the future Mahdī; the context is the rising of Muḥammad al-Nafs al-Zakiyya (d. 145/762) (*Maqātil*, 207.8). Cf. the anecdote quoted in Abū Ṭālib al-Nāṭiq, *Amālī*, 131.22, and van Arendonk, *Débuts*, 56 n. 1; cf. also *ibid.*, 54 n. 1.

²⁹ Abū ‘l-Faraj, *Maqātil*, 453.11. Cf. also Aḥmad ibn Sahl al-Rāzī (fl. later third/ninth century), *Akbbār Fakhkh*, ed. M. Jarrar, Beirut 1995, 149.9 (drawn to my attention by Etan Kohlberg).

³⁰ *Ibid.*, 523.13, on the authority of the Shī‘ite Naṣr ibn Muzāḥim (d. 212/827f.); van Arendonk, *Débuts*, 96f. Of Ḥasan ibn al-Ḥasan ibn al-Ḥasan, who died in prison in 145/763, Abū ‘l-Faraj remarks that he followed the Zaydī path in *al-amr bi’l-ma‘rūf* (*Maqātil*, 185.4). The Imāmī al-Shaykh al-Mufid (d. 413/1022) has Zayd ibn ‘Alī going forth with the sword, commanding right and forbidding wrong (*Irshād*, Tehran n.d., 2:168.2).

³¹ As noted by Madelung, ‘Amr be ma‘rūf’, 993b. During his rebellion in Daylam in the reign of Hārūn al-Rashid (r. 170–93/786–809), Yaḥyā ibn ‘Abdallāh had seventy learned missionaries whose message included *izhār al-amr bi’l-ma‘rūf* (Rāzī, *Akbbār Fakhkh*, 197.8; on Yaḥyā, see van Arendonk, *Débuts*, 65–70). Cf. also the characterisation of the Batriyya in Nawbakhtī (alive in 300/912), *Firaq al-Shi‘a*, ed. H. Ritter, Istanbul 1931, 51.2, translated in van Ess, *Theologie*, 5:52.

³² For his title *al-dā‘ī ilā ‘l-ḥaqq*, see Madelung, *Qāsim*, 154f. A distinction is made by Abū Ṭālib al-Nāṭiq (d. 424/1032f.) between actual imams and ‘Alids who merely took the path of *al-amr bi’l-ma‘rūf* and rebellion against the oppressors without claiming the imamate (see the passage from the introduction to his *Ifāda* published in R. Strothmann, ‘Die Literatur der Zaiditen’, *Der Islam*, 2 (1911), 74.3 of the Arabic text).

³³ Ibn Isfandiyyār (writing 613/1216f.), *Tārikh-i Ṭabaristān*, ed. ‘A. Iqbāl, Tehran n.d., 1:229.7, cited in Madelung, *Qāsim*, 154.

³⁴ W. Madelung (ed.), *Arabic texts concerning the history of the Zaydī Imāms of Ṭabaristān, Daylamān and Gilān*, Beirut 1987, 88.9, 225.7. This report was drawn to my attention by Ella Landau-Tasseron from manuscript. Another source (which states that Uṭrūsh was successful only on his fifth attempt) likewise associates his venture with *al-amr bi’l-ma‘rūf* (*ibid.*, 75.9).

³⁵ See above, 230. In his public statements Uṭrūsh remarks that the formerly pagan Gīlites and Daylamites now perform *al-amr bi’l-ma‘rūf* (Abū Ṭālib al-Nāṭiq, *Amālī*, 204.14; Madelung, *Arabic texts*, 214.17); he speaks of how he calls to *al-amr bi’l-ma‘rūf* (*ibid.*, 215.14); and he calls upon people to perform it (*ibid.*, 217.8; Abū Ṭālib al-Nāṭiq, *Amālī*, 201.19).

form of forbidding wrong associated with the Zaydī pretenders does tend to displace the duty of the ordinary individual from the centre of the stage.

This conjunction of forbidding wrong with political activism remains a prominent feature of the Zaydī tradition during and after the adoption of Muʿtazilite doctrine. The first major figure in the history of the Zaydī–Muʿtazilite symbiosis is al-Hādī ilā ʿl-Ḥaqq (d. 298/911), the founder of the Zaydī imamate in the Yemen.³⁶ We are fortunate in possessing a fair number of his works, together with an account of his career stemming from his immediate followers. This material has relatively little to say about forbidding wrong as a duty of the individual Muslim,³⁷ but a great deal that links it to the Zaydī conception of the imamate.³⁸

Thus in a law-book written by a follower of al-Hādī, we find a polemic against the (typically Imāmī) view that the imam does not have to rebel; he need only be learned, pious and trustworthy. The Zaydī retort is that such a man is merely an authority on legal matters (*imām ḥalāl wa-ḥarām*), not one to whom obedience is due (*muftaraḍ al-ṭāʿa*), ‘since he is sitting at home (*jālis fī baytihi*), neither commanding nor forbidding; for God does not enjoin obedience to one who sits [quietly at home] as He does to one who arises (*al-qāʿim*), commanding right and forbidding wrong.’³⁹

³⁶ For his career, see van Arendonk, *Débuts*, 127–305. For his Muʿtazilism, which derived from the Baghdādī school, see Madelung, *Qāsim*, 163–8. A key passage at the beginning of his work *al-Manzila bayn al-manzilatayn* gives a list of five principles (*uṣūl*), including *al-amr biʿl-maʿrūf*, which are in fact the five principles of the Muʿtazilites (ms. London, British Library, Or. 3,798, f. 53b.22, and see Madelung, *Qāsim*, 164; for the *Manzila*, see Rieu, *Supplement*, 127–9 no. 206, item XVI, and van Arendonk, *Débuts*, 287–91). By contrast, the list given in al-Hādī’s *Uṣūl al-dīn* (ms. London, British Library, Or. 3,798, f. 69a.26), while retaining *al-amr biʿl-maʿrūf*, drops the *manzila bayn al-manzilatayn* and adds the ‘Alid imamate (for this work, see Rieu, *Supplement*, 127–9 no. 206, item XIX, and van Arendonk, *Débuts*, 298f.).

³⁷ Even al-Hādī’s treatment of *al-amr biʿl-maʿrūf* in his law-book has nothing to say on the subject (*al-Aḥkām fī ʿl-ḥalāl waʿl-ḥarām*, n.p. 1990, 1:503–5; the volume numbers in this printing are transposed).

³⁸ See the brief remarks of Landau-Tasseron, ‘Zaydī imams’, 255.

³⁹ Muḥammad ibn Sulaymān al-Kūfī (alive in 309/921), *Muntakhab*, Ṣanʿāʾ 1993, 14.12, cited in Madelung, *Qāsim*, 145 n. 264. This is a standard theme of Zaydī polemic against Imāmism. It is prominent in the *Ishbād* of the Zaydī polemist Abū Zayd al-ʿAlawī (fl. later third/ninth century), preserved in the refutation of the Imāmī Muʿtazilite Ibn Qība al-Rāzī (d. not later than 319/931) (see H. Modarressi, *Crisis and consolidation in the formative period of Shiʿite Islam*, Princeton 1993, 193.4, 194.11, and cf. Ibn Qība’s retorts, *ibid.*, 196.16, 198.21, 200.16, 201.10); the date of this exchange cannot be earlier than 271/884 (*ibid.*, 169, and cf. 83 n. 161) nor later than 319/931 (*ibid.*, 117, 119). Three centuries later, the imam al-Manṣūr ʿAbdallāh ibn Ḥamza (d. 614/1217) replies to the assertion that God has not given the imam permission to rebel by saying that this is contrary to Islam, for God has ordered His servants in general, and the imams in particular, to perform *al-amr biʿl-maʿrūf* and *jihād*; so if a supposed imam claims that he has not been commanded to engage in such activities as *jihād*, the implementation of the *ḥudūd*, resistance to the oppressors (*ẓālimūn*), and *al-amr biʿl-maʿrūf*, we ask him: ‘So what were you commanded to do, and to what purpose?’ (*al-ʿIqd al-thamīn*, ms. London, British Library, Or. 3,976, f. 139b.19, cited in Landau-Tasseron, ‘Zaydī imams’, 255 n. 34; for this manuscript, see Rieu, *Supplement*, 132 no. 210, item I).

Elsewhere al-Hādī argues that commanding and forbidding are vested in the best members of the family of the Prophet (*khiyār āl Muḥammad*) to the exclusion of Pharaohs and tyrants (*jabābira*);⁴⁰ he adduces a set of Koranic proof-texts of which the first is Q22:41.⁴¹ His polemical target here is the anthropomorphist predestinationists (in other words, the Sunnīs) who believe that God has Himself decreed the oppression they suffer; were they to come to know God as He really is, and then to set about commanding right and forbidding wrong, their prayers would be answered and they would be delivered from their oppressors.⁴² The same linkage appears in a tradition quoted by al-Hādī to establish the Zaydī doctrine of the imamate. Here the Prophet states: ‘Whoever of my descendants (*min dhurriyyatī*) commands right and forbids wrong is God’s caliph on His earth . . .’⁴³

The narrative of the career of al-Hādī in founding the Zaydī imamate in the Yemen is accordingly one in which forbidding wrong figures prominently.⁴⁴ The duty is central to the enterprise in which he is engaged: it is one of the things he does when he first calls people to his cause,⁴⁵ just as it is part of what the true ‘Alid does when he unsheathes his sword and

⁴⁰ See al-Hādī ilā ‘l-Haqq (d. 298/911), *Kitāb fihī ma‘rifat Allāh*, in ‘Umāra, *Rasā’il*, 2:83–6.

⁴¹ *Ibid.*, 83.15. Cf. the Zaydī use of Q3:104 as a proof-text for the imamate noted by Landau-Tasseron (‘Zaydī imams’, 255 n. 36), and the similar appeal to Q3:110 at the end of the refutation of the Rawāfiḍ ascribed to Qāsim ibn Ibrāhīm (see the quotation in R. Strothmann, *Das Staatsrecht der Zaiditen*, Strasburg 1912, 42 n. 1; for the ascription of the work, see Madelung, *Qāsim*, 98f.).

⁴² See al-Hādī, *Kitāb fihī ma‘rifat Allāh*, 86.8. This is a fine yoking of Mu‘tazilite dogmatic positions to Zaydī activism.

⁴³ *Ibid.*, 83.2 (here al-Hādī immediately draws attention to the phrase *min dhurriyyatī*, which is not found in the Sunnī version of the tradition, see above, ch. 3, note 27); al-Hādī, *Aḥkāim*, 1:505.22. The tradition was duly included by Qāḍī Ṣa‘da (d. 646/1248f.) in his collection of Prophetic traditions transmitted by al-Hādī (*Durar al-aḥādith*, ed. Y. ‘A. al-Faḍīl, Beirut 1979, 48.4, whence Crone and Hinds, *God’s caliph*, 98 n. 12, and Landau-Tasseron, ‘Zaydī imams’, 255 n. 35). Strothmann, who cited the tradition from manuscript, noted the marginal annotation of a reader: ‘This is an explicit stipulation (*naṣṣ*) of the imamate of the descendants of the Prophet (*ahl al-bayt*)’ (*Staatsrecht*, 43 and n. 2, with the comment that this reader was ‘ein echter Zaidit’).

⁴⁴ A painfully spurious tradition has the Prophet predict the appearance in the Yemen of a descendant of his named Yahyā al-Hādī who would command right and forbid wrong, and through whom God would bring life to truth and death to falsehood (al-Manṣūr Sharaf al-Dīn ibn Badr al-Dīn (d. 670/1271f.), *Anwār al-yaqīn*, ms. London, British Library, Or. 3,868, f. 150a.4, cited in Landau-Tasseron, ‘Zaydī imams’, 255 n. 34; for this manuscript, see Rieu, *Supplement*, 331f. no. 538).

⁴⁵ ‘Alī ibn Muḥammad al-‘Alawī (fl. late third/ninth century), *Sīrat al-Hādī ilā ‘l-Haqq Yahyā ibn al-Husayn*, ed. S. Zakkār, n.p. 1972, 17.8; cf. also *ibid.*, 92.4, and van Arendonk, *Débuts*, 135. In an extant written *da‘wa*, al-Hādī stresses the obligations of *jihād* and *al-amr bi’l-ma‘rūf* (*Da‘wa*, ms. London, British Library, Or. 3,798, f. 85a.2, with a string of Koranic verses), and calls upon the addressee to join him in *al-amr bi’l-ma‘rūf* (*ibid.*, f. 88b.7, and cf. f. 89b.24; for this text, see Rieu, *Supplement*, 127–9 no. 206, item XXIV, and cf. van Arendonk, *Débuts*, 302f.). In all the passages cited from this *da‘wa*, we find the expanded form *al-amr bi’l-ma‘rūf al-akbar wa’l-naby ‘an al-taḏālum wa’l-munkar*, as also at ‘Alawī, *Sīra*, 25.2.

proclaims his imamate.⁴⁶ It makes a simple meal of three buns and a little condiment shared by al-Hādī and one of his followers tantamount to a banquet.⁴⁷ It figures as a formal component of the allegiance done to al-Hādī by those who follow or submit to him.⁴⁸ It is one of the most salient roles of his governors⁴⁹ and emissaries.⁵⁰ It appears as a duty of the people at large, indeed of all believers.⁵¹ It lies at the core of the enterprise in which his band of followers is engaged.⁵² He tells the people of the localities that join his state to perform it.⁵³ Few of these references have much to say about concrete and particular wrongs;⁵⁴ several have rich associations with the tradition of 'Alid insurrection against injustice.⁵⁵ Likewise after his death the absence of forbidding wrong, and the need for someone to undertake it, figure prominently in the story of the anarchy that ensued.⁵⁶

The same idiom remains prominent in the later history of Zaydī state formation. Thus forbidding wrong appears repeatedly as an activity characteristic of (though far from confined to) imams and similar figures exercising religiously validated political power. This is readily illustrated from the annals of Caspian Zaydism. The imam al-Mu'ayyad Aḥmad ibn al-Ḥusayn (d. 411/1020)⁵⁷ issued a call to his cause which deplored the conditions of anarchy and oppression that had arisen; among them he

⁴⁶ *Ibid.*, 29.4. By contrast, the stay-at-home 'Alid pretenders fail to do it (*ibid.*, 28.1, 28.10, the latter from Zayd ibn 'Alī). He likewise stresses the role of armed conflict in the performance of the duty in a passage in his *Manzila* (f. 55a.3); most of the passage is quoted in 'A. M. Zayd, *Mu'tazilat al-Yaman*, Ṣan'a' and Beirut 1981, 180f.

⁴⁷ 'Alawī, *Sira*, 57.3.

⁴⁸ See the text of the form of allegiance, *ibid.*, 117.9, and the accounts of the submission of local rulers, *ibid.*, 115.6, 207.3.

⁴⁹ See the text of his letter of appointment, *ibid.*, 45.1 (= van Arendonk, *Débuts*, 320.12, and cf. *ibid.*, 136f.); cf. also 'Alawī, *Sira*, 211.3. For particular instances, see *ibid.*, 80.5, 94.9, 115.16, 211.16, 212.17, 214.9, 214.19, 341.7. In another such document, *al-amr bi'l-ma'rūf* is a duty in which governors are to instruct their subjects ('*Ahd*, London, British Library, ms. Or. 3.798, f. 179b.14, likewise using the expanded form; for this document, which is now printed in Küfi, *Muntakhab*, 505–7, see Rieu, *Supplement*, 127–9 no. 206, item XXXV, and van Arendonk, *Débuts*, 302 and n. 2).

⁵⁰ 'Alawī, *Sira*, 115.10. Cf. also *ibid.*, 298.10.

⁵¹ *Ibid.*, 25.2 (and cf. *ibid.*, 24.12, citing Q3:104 and Q3:110). See also *ibid.*, 22.6, 123.4.

⁵² *Ibid.*, 50.15, 51.1. ⁵³ *Ibid.*, 211.12, 214.12, and cf. 52.6.

⁵⁴ Cf. *ibid.*, 94.9 (mentioning unspecified *fawāḥish*), 115.6 (mentioning wine), 115.13 (mentioning a case of drunkenness); and see van Arendonk, *Débuts*, 164.

⁵⁵ See 'Alawī, *Sira*, 22.6 (where *al-amr bi'l-ma'rūf* is associated with separating from the oppressors and fighting the wicked on the side of just imams descended from Ḥasan and Husayn), 25.2 (associated with assistance to the imams – the caliphs descended from the prophets – and with a hard line against wicked and oppressive tyrants and those who follow them), 29.4 (associated with the 'Alid imam who unsheathes his sword and plants his standard).

⁵⁶ W. Madelung (ed.), *The Sira of Imām Aḥmad b. Yaḥyā al-Nāsir li-Dīn Allāh from Musallam al-Lahjī's Kitāb Akhbār al-Zaydiyya bi l-Yaman*, Exeter 1990, 7.1, 7.16, 8.11, 8.19; cf. also *ibid.*, 46.20, 48.11, 62.17. This material derives from a contemporary source (see Madelung's introduction, vf.). The most interesting of these passages were drawn to my attention from manuscript by Ella Landau-Tasseron. ⁵⁷ See Madelung, *Qāsim*, 177f.

mentioned that the practitioners of the duty had become few and impotent.⁵⁸ He went on to call people to assist him in his enterprise, and to help him in the task of forbidding wrong which he had undertaken.⁵⁹ After his death he was succeeded by his brother Abū Ṭālib al-Nāṭiq (d. 424/1032f.),⁶⁰ who continued to command right and forbid wrong in the tradition of the family of the Prophet till he died.⁶¹ Later, between 472/1079f. and 490/1097, there were in effect two imams, al-Hādī al-Ḥuqaynī (d. 490/1097) and Abū ‘l-Riḍā al-Kisumī (who died soon after).⁶² When the timely sabotage of a bridge prevented what might have been an ugly encounter between their forces, they agreed to divide and rule: one reigned in Daylamān, while the other (Kisumī) commanded right and forbade wrong in Gīlān.⁶³ Nearly a century later – in the 560s/1160s – ‘Alī ibn Muḥammad al-Ghaznawī, an ‘Alid from Ghazna, set up in Gīlān, though without claiming to be a full imam;⁶⁴ he established right and took action against wrongs.⁶⁵ As late as the second half of the eighth/fourteenth century a descendant of his, ‘Alī ibn Amīr Kiyā Malāṭī (d. 781/1379f.), was established as a fully fledged Zaydī imam;⁶⁶ our account of his career refers to forbidding wrong as a part of his role in such contexts as the duty of the imam to reduce a fractious local ruler to obedience,⁶⁷ and the forced conversion of a conquered Ismā‘īlī community to Zaydism.⁶⁸

What is true of Caspian Zaydism is true also for its Yemeni offshoot. The imam al-Manṣūr al-Qāsim ibn ‘Alī al-‘Iyānī (d. 393/1003) sent out letters reminding his subjects that the terms of their mutual allegiance were the Book of God and the normative practice (*sunna*) of His Prophet, which include forbidding wrong and mutual help in performing it.⁶⁹ Two centuries later the terms of allegiance to the imam al-Manṣūr ‘Abdallāh ibn Ḥamza (d. 614/1217) included the Book of God, the normative practice

⁵⁸ Madelung, *Arabic texts*, 311.11.

⁵⁹ *Ibid.*, 314.2, quoting Q5:78 and Q3:110; cf. also 354.1

⁶⁰ See Madelung, *Qāsim*, 178–82.

⁶¹ Madelung, *Arabic texts*, 320.16. Cf. his own statement of the duties of the imam in his *Tahṭir*, apud Strothmann, *Staatsrecht*, 105.4. ⁶² See Madelung, *Qāsim*, 208f.

⁶³ Madelung, *Arabic texts*, 145.5. Cf. also *ibid.*, 151.15, 332.5 (on the fate of Kisumī’s wine-bibbing son). ⁶⁴ Madelung, *Qāsim*, 217f.

⁶⁵ Madelung, *Arabic texts*, 159.2 (*aqāma ‘l-ma‘rūf wa-azāla ‘l-manākir*). The text goes on to remark that he was a Zaydī in *uṣūl* and *furu‘*.

⁶⁶ *Ibid.*, 12f. of the introduction, citing Ṭahīr al-Dīn Mar‘ashī (ninth/fifteenth century), *Tārīkh-i Gīlān wa Daylamistān*, ed. M. Sutūda, Tehran 1347 sh., 41.8.

⁶⁷ *Ibid.*, 55.18. It is also mentioned as the duty of such a ruler and his followers on submission to the imam (*ibid.*, 34.17).

⁶⁸ Mar‘ashī, *Tārīkh*, 67.18. The conquest itself is presented as a consequence of the duty of the ‘people of Islam’ to see that *al-amr bi‘l-ma‘rūf* is carried out (*ibid.*, 66.12).

⁶⁹ Ḥusayn ibn Aḥmad ibn Ya‘qūb (fl. later fourth/tenth century), *Sīrat al-imām al-Manṣūr bi‘llāh*, ms. London, British Library, Or. 3,816, f. 40a.8 (for the distribution of the letter, see *ibid.*, f. 38a.3); and cf. also *ibid.*, ff. 42b.3, 57b.12, and cf. 111a.13, 112a.20. For this manuscript, see Rieu, *Supplement*, 328 no. 532.

of His Prophet, and forbidding wrong.⁷⁰ Another four centuries take us to the time of the imam al-Manṣūr al-Qāsim ibn Muḥammad (d. 1029/1620), who wrote a letter calling people to his cause in which the rhetoric of forbidding wrong is as conspicuous as ever.⁷¹ At the same time the language retains its old formulaic quality. Even after so many centuries, we have little sense that this Zaydī tradition of forbidding wrong implied a concrete and practical programme of moral reform. In marked contrast to what we saw in the case of the later Sa'ūdī state, we have here little more than a banner under which an 'Alid can rebel, establish a state, and maintain his power.

4. THE ZAYDĪ LEGAL TRADITION

There was, of course, more to Zaydism than this inflammatory brand of religious politics. As we have seen, forbidding wrong was also a duty of the individual Zaydī believer, and it is regularly treated as such in legal works.⁷² A good deal of what the scholars have to say here is Mu'tazilite, or heavily influenced by Mu'tazilism, as will be seen in the next section. But as might be expected, there is much in the legal tradition that seems to be independent of Mu'tazilite sources. We can best approach this material through a work on the legal doctrine of the imam al-Mu'ayyad Aḥmad ibn al-Ḥusayn (d. 411/1020) put together by his disciple Abū 'l-Qāsim al-Hawsamī. Although al-Mu'ayyad was a Mu'tazilite,⁷³ it hardly shows in the part of the work that concerns us. In what follows I shall reproduce the substance of his treatment,⁷⁴ respecting the order of topics found in it.

⁷⁰ The wording of the *bay'a* is quoted in Muḥallī (d. 652/1254f.), *al-Ḥadā'iq al-wardiyya*, ms. London, British Library, Or. 3,786, f. 167a.7 (for this manuscript, see Rieu, *Supplement*, 329f. no. 534).

⁷¹ This incomplete *da'wa* is found in Jurmūzī (d. 1077/1667), *al-Nubdha al-mushira*, ms. London, British Library, Or. 3,329, ff. 52b–54a (= 88–90 in the published facsimile, n.p. n.d.); note the borrowing at f. 53a.20 (= 89.23) of some of the rousing language of the long activist tradition mentioned above, note 11. For this manuscript, see Rieu, *Supplement*, 336f. no. 543.

⁷² The Zaydīs are like the Imāmīs, and unlike the Sunnīs, in including discussion of *al-amr bi'l-ma'rūf* in their law-books. But the two Shī'ite sects differ with regard to the location of the topic in the law-book: whereas the Imāmīs place it in the *kitāb al-jihād*, which normally follows the discussion of the rites of pilgrimage, the Zaydīs treat it in their *kitāb al-siyar*, which includes both *jihād* and the imamate, and is placed at the end of the law-book. For more details on the Imāmī practice, see below, ch. 11, note 2.

⁷³ See Madelung, *Qāsim*, 177.

⁷⁴ Viz. al-Mu'ayyad Aḥmad ibn al-Ḥusayn (d. 411/1020), *Ifāda*, ms. London, British Library, Or. 4,031, ff. 80b.19–81b.9 (for this manuscript see Rieu, *Supplement*, 216f. no. 338). I have also consulted a Berlin manuscript of the work and made use of its readings where I had difficulty with the London manuscript (ms. Berlin, Glaser 188, ff. 12a.16–13a.1; for this manuscript, see Ahlwardt, *Verzeichniss*, 4:292f. no. 4,878, item 1); but unless otherwise indicated, my references are to the London manuscript. I have also made some use of the parallel passages and further materials found in 'Alī ibn al-Ḥusayn, *Luma'*, ff. 220b–223a.

The account opens with a general statement about the manner of taking action against wrongs (*kayfiyyat izālat al-munkar*). Whoever has good reason to think that he is able to do so has a duty to proceed against wrong. If words suffice, he should not resort to blows; but if neither words nor blows are enough, he can escalate further as the situation requires, since the sole object is to eliminate the wrong.⁷⁵ This formulation is quite likely to derive from a Mu‘tazilite source, but it does not have to: Uṭrūsh had said much the same.⁷⁶

With these generalities out of the way, the account turns to detail. There is no overall structure; the following topics are addressed in succession:

- 1 *Smashing offending objects*: With regard to objects used in wrongful activities – mandolins and the like – a distinction is made between those normally used for illicit purposes (even if a licit use is possible) and those used for both licit and illicit purposes (such as cups and bottles). Objects in the first category are to be smashed,⁷⁷ and the bits returned to the owner; those in the second are not to be smashed.⁷⁸
- 2 *Dealing with wine*: The basic techniques for dealing with wine or the like are to pour it out or to put into it something such as dung (*sarqīn aw ‘adhira*) which will render it unfit for consumption.⁷⁹ However, dung (*zibl*) – or sand (*raml*)? – is not to be put into amphorae (*dinān*) because of the inconvenience (*ta‘ab*) this gives rise to.⁸⁰ If you see a man carrying a jar with wine in it, you pour it out; if the jar gets broken in the process, you are – rather surprisingly – liable for its cost.⁸¹ If the

⁷⁵ Mu‘ayyad, *Ifāda*, f. 80b.20; cf. ‘Alī ibn al-Ḥusayn, *Luma‘*, f. 220b.10, with explicit reference to killing.

⁷⁶ See above, 230. That we are not in a Sunnī milieu is underlined by the absence of any mention of performance in the heart, and perhaps by the implicit authorisation of recourse to arms.

⁷⁷ For the uncompromising Zaydī attitude to musical instruments, compare the view of Uṭrūsh in Serjeant, ‘A Zaidī manual of ḥisbah’, 17.7, and cf. below, note 124.

⁷⁸ Mu‘ayyad, *Ifāda*, f. 80b.22. Authority for such smashing is found in the Koranic account of Abraham’s treatment of the idols of his people (Q21:58), and in an anecdote about the harsh reaction of ‘Alī to some chess-players he encountered. The anecdote about ‘Alī is quoted from al-Hādī, *Aḥkām*, 1:553.1; for the severe Zaydī attitude to chess, see also Serjeant, ‘A Zaidī manual of ḥisbah’, 17.1 (where a version of the same anecdote follows). A later Zaydī source states that objects in the second category may be broken only by the authorities (*ahl al-wilāyāt*) (Ibn Miṭṭāḥ, *Muntaza‘*, 4:589.3). For the smashing of offending objects in Ibn Ḥanbal’s responsa, compare above, ch. 5, note 99; and cf. ch. 7, notes 28f.

⁷⁹ A later source also names urine as a possible additive (*ibid.*, 4:587.23, in the scholia).

⁸⁰ The readings *zibl* and *raml* are those of the London and Berlin manuscripts respectively; the reading in the parallel passage in ‘Alī ibn al-Ḥusayn’s *Luma‘* is ambiguous (f. 221a.19), while in Ṣu‘aytirī’s *Ta‘līq* it is clearly *raml* (f. 391a.24). We may perhaps have to do with Caspian realia which were already obscure to Yemeni copyists.

⁸¹ In the *Ifāda* mention is made of the contrary opinion of the Ḥanafī Abū Yūsuf (d.

only way to pour out the wine is to break the jar, you may do so subject to compensation. If you do not know for sure that there is wine in the jar, but have good reason to think there is, you must proceed; if afterwards it turns out that you were wrong, you are liable for compensation.⁸²

- 3 *Entering a home*: When you hear the sound of music – such as singing or the noise of musical instruments – coming from inside a home (*dār*), and recognise (the signs of) wine-drinking, it is your duty to enter the home. Likewise if you know (or just have good reason to think) that there is wine there, you must go in and pour it out.⁸³
- 4 *Turning in a drunk*: On the other hand, if you come across a drunk, you have no duty to turn him over (*rafʿ*) to the authorities (*ḥākim*). You should keep the matter quiet, and counsel him.⁸⁴
- 5 *Unjust rulers*: When a reprobate ruler (*sultān fāsiq*) calls people to establish right and eliminate wrong, the Muslims may not assist him. However, it is permissible to seek his help in forbidding wrong. If one thinks that by addressing oneself orally or in writing to an unjust ruler (*mutaghallib*) one may be able to persuade him to release someone he has wrongfully imprisoned, or the like, one should do so. What if there are two unjust rulers (*ḡālimān*), one worse than the other, and the less bad seeks the help of the Muslims against his rival, and the Muslims in question have reason to believe that their help will be effective in getting rid of the worse ruler, and that the less bad one will expend the taxes he collects from the Muslims in ways advantageous to the faith? The answer is that it is still impermissible to assist the less bad ruler in any wrongdoing, and the taxes he collects are illegal. On the other

182/798) (al-Muʿayyad had studied Ḥanafī law, see Madelung, *Qāsim*, 177, and cf. 179); cf. also the position mentioned in a scholion to the parallel passage in ʿAlī ibn al-Ḥusayn's *Lumaʿ* (f. 221a.15) that there is no duty to pour out wine when this would lead to (the obligation to pay) compensation, and the view of Uṭrūsh cited above, note 24.

⁸² Muʿayyad, *Ifāda*, f. 81a.1. For the treatment of vessels containing wine in Ibn Ḥanbal's responsa, see above, ch. 5, notes 101f.; for the question of compensation, see ch. 5, note 99, and cf. ch. 6, note 33; for the problem of uncertainty, cf. ch. 5, notes 143, 148.

⁸³ *Ibid.*, f. 81a.8. For the view of Uṭrūsh, see above, 230; and cf. Ṣuʿaytirī, *Taʿlīq*, f. 391a.20; ʿAlī ibn al-Ḥusayn, *Lumaʿ*, f. 221a.8. Confronted with the problem of the sound of music, Ibn Ḥanbal says one should reprove the offenders, but he does not say that one should push one's way in (see his responsum cited above, ch. 5, note 63; cf. also ch. 6, note 32).

⁸⁴ *Ibid.*, f. 81a.10. Cf. the view of al-Muʿayyad that if one has a neighbour who gives one trouble, and one knows that if one hands him over to the ruler he will harm him (in some unlawful way), one may not involve the ruler (ʿAlī ibn al-Ḥusayn, *Lumaʿ*, f. 222a.13, in the scholion; also Ṣuʿaytirī, *Taʿlīq*, f. 391b.26, and Ibn Miṭṭāḥ, *Muntazaʿ*, 4:592.15, in the scholia). For the problem of involving the authorities as dealt with in Ibn Ḥanbal's responsa, see above, ch. 5, 90, 102f.; and cf. ch. 4, note 268.

hand, (cooperating with him with a view to) eliminating the worse ruler is permissible, indeed obligatory.⁸⁵

- 6 *Conduct of boys*: Boys must be prevented from wearing silk, golden rings, anklets or earrings, and from drinking wine and the like.⁸⁶
- 7 *Errors in Korans*: If you find a mistake in someone else’s Koran, you must erase it. If, however, you would damage the Koran, whereas someone more skilful than you could erase the mistake without such damage, you are not obliged to act.⁸⁷
- 8 *Conduct of women*: When women speak up (*idhā aḡharna kalāmahunna*), they are not to be forbidden or rebuked. This point is supported from cases of women at the beginning of Islam who spoke to men, transmitted what they had seen and heard from the Prophet, or even gave legal opinions.⁸⁸ You do have a duty against a woman who makes a habit of so raising her voice when declaiming poetry or singing that she can be heard outside her home (*min warā’ al-dār*). How could this be permitted, when it is disapproved of for a woman to recite even the call to prayer because she would have to raise her voice to do so?⁸⁹
- 9 *Minstrels*: Finally, two points are made about minstrels. First, the question is raised of an otherwise virtuous and pious Muslim who listens to minstrels (*qawwālūn*) and enjoys their melodies. The answer is that this is to be considered a sin, and the man a sinner. Second, suppose that a male and a female minstrel inside a home are singing amorous verses in a manner that is liable to excite someone outside it; do the Muslims have a duty to stop them? The answer is that they do.⁹⁰

As already indicated, there is not much in this account that evokes either Mu‘tazilite scholasticism or Zaydī activism – though the opening statement

⁸⁵ Mu‘ayyad, *Ifāda*, f. 81a.11. Note also the view that when confronting the wicked (*fussāq*) without an imam, the Muslims may appoint someone to discipline the malefactors, and turn the matter over to him (‘Alī ibn al-Ḥusayn, *Luma’*, f. 221a.6).

⁸⁶ Mu‘ayyad, *Ifāda*, f. 81a.20. However, beating, wounding, and killing are not admissible in such a context, though they may be required to deal with boys whose actions harm others, as in cases of arson (‘Alī ibn al-Ḥusayn, *Luma’*, f. 221a.2). The prohibition of beating does not, of course, apply to the boy’s legal guardian (*walī*) (Ṣu‘aytirī, *Ta’liq*, f. 391a.15).

⁸⁷ Mu‘ayyad, *Ifāda*, f. 81a.22. For the point about the more skilful eraser, compare Ibn Miftāḥ, *Muntaza’*, 4:588.7. In ‘Alī ibn al-Ḥusayn’s *Luma’* we also find provisions regarding books of *zindiqs* and anthropomorphists: these may be burnt and compensation paid to the owner, or, better, (the offending passages) may be dealt with by blacking out (*taswīd*) and the expurgated books returned to the owner (f. 221b.5). In the scholia to the *Muntaza’*, the term *taswīd* is glossed *ṭams*, i.e. obliteration (4:588.24).

⁸⁸ Mu‘ayyad, *Ifāda*, f. 81a.24. We can take it that what is problematic about women speaking up is the temptation (*fitna*) it may give rise to for men (cf. Ṣu‘aytirī, *Ta’liq*, f. 391a.25). Note that no mention is made of women performing *al-amr bi’l-ma‘rūf*.

⁸⁹ Mu‘ayyad, *Ifāda*, f. 81b.1. ⁹⁰ *Ibid.*, f. 81b.4.

could be an example of the first, and item (5) of the second. What it offers is rather the kind of detailed guidance on the everyday practicalities of the duty that we found in the responsa of Ibn Ḥanbal.⁹¹ There is the same simple menu, predominantly wine and music. Several of the main themes are shared: breaking instruments and vessels, pouring out or spoiling wine, and the problems raised by uncertainty and liability for compensation. There is, of course, no identity of views on the finer points. The Zaydīs seem less inclined to smash vessels than the Ḥanbalites, but harsher in their choice of pollutant – dung rather than salt – for spoiling wine.⁹² There are also topics considered in our Zaydī text which are not covered by Ibn Ḥanbal, such as mistakes in Korans. But it is striking that two legal traditions with such different political attitudes should agree in their negative view of turning in a drunk to the authorities,⁹³ and the overall similarity in the character of the material is unmistakable.

That this material represents for the most part a Zaydī legal tradition distinct from Muʿtazilism is confirmed by the treatment of forbidding wrong given by a follower of al-Muʿayyad more distinguished than Abū ʿl-Qāsim al-Hawsamī, namely the ʿAlid Muwaffaq al-Shajāri (first half of the fifth/eleventh century).⁹⁴ His account falls into two main parts. The first is a thoroughly Muʿtazilite analysis comparable in coverage, style and doctrine to Mānkḍīm's.⁹⁵ The second is more practical in scope, and deals with questions relating to musical instruments, amphorae, blasphemous books (*kutub al-ilḥād*), Biblical texts, toys, images, chess, backgammon, liquor of contested status, vessels of gold and silver and the like.⁹⁶ The treatment is somewhat more theoretical than that of al-Muʿayyad, but broadly similar. Now in this part of his account Muwaffaq, unlike al-Muʿayyad, cites numerous authorities. He once cites a Muʿtazilite,⁹⁷ and quite often makes reference to Sunnī views.⁹⁸ But overall, his pattern of citation places him firmly in the Zaydī legal tradition.⁹⁹ What is true for Muwaffaq is likely to be true also for al-Muʿayyad. The roots

⁹¹ Cf. above, notes 78, 82–4.

⁹² For the views of Ibn Ḥanbal on these points, see above, ch. 5, notes 101f.

⁹³ See above, note 84. ⁹⁴ For this scholar, see Madelung, *Qāsim*, 182, 183f.

⁹⁵ Muwaffaq, *Iḥāṭa*, ff. 135b.3–138b.25. The only authorities named are Abū ʿAlī and Abū Ḥashim (*ibid.*, ff. 135b.8, 136a.6, 137a.6).

⁹⁶ *Ibid.*, ff. 141a.4–144b.13. The intervening passage deals with duress (*ikrāh*).

⁹⁷ *Ibid.*, f. 141a.9, citing Abū ʿAlī (see above, ch. 9, note 28).

⁹⁸ See, for example, *ibid.*, f. 141a.8 (Shāfiʿite doctrine), f. 141a.10 (a view of Abū Ḥanifa), and cf. f. 143b.19 (an action of ʿUmar).

⁹⁹ See, for example, *ibid.*, f. 141a.19 (citing an action of the Amīr al-Muʿminīn – i.e. ʿAlī – with the comment that his actions and words are definitive proof for us), 141b.16 (citing the consensus of the Prophet's family (*ijmāʿ abl al-bayt*) as indefeasible), 141a.13 (citing Qāsim ibn Ibrāhīm in the *Masāʾil* of Nayrūsī), 141a.7 (citing Yahyā ibn al-Ḥusayn, i.e. al-Hādī). For Nayrūsī (third/ninth century), see Madelung, *Qāsim*, 133, 160.

of this legal tradition doubtless go back to the early evolution of Zaydism in Kūfa.

We have thus identified the two major components of the properly Zaydī heritage with respect to forbidding wrong: a political activism which is unmistakably Zaydī, and a legalistic tradition which is presumably so. Apart from their common Zaydī origin, they have little intrinsic connection to each other. Alongside these components, as we have already seen in the case of Muwaffaq al-Shajāri, we find a scholastic doctrine of the duty which is manifestly Mu‘tazilite.

5. THE ZAYDĪ–MU‘TAZILITE SYMBIOSIS

Probably the best-known Zaydī Mu‘tazilite is the Yemeni Ibn al-Murtaḍā (d. 840/1437), whose writings became standard works and attracted much attention from later commentators.¹⁰⁰ As he explains in one of them, forbidding wrong is a topic that receives double coverage.¹⁰¹ It is treated once under the rubric of theology (‘*ilm al-kalām*’) – the basic principles of the faith (‘*uṣūl al-dīn*’), knowledge of which is incumbent on every legally competent Muslim; he observes that any comprehensive Zaydī or Mu‘tazilite work in the field includes it. And it is discussed again in the exposition of substantive law (‘*ilm al-furū’*’).¹⁰² When Ibn al-Murtaḍā treats the subject himself in the theological context, his account is solidly Mu‘tazilite.¹⁰³ By contrast, when he treats it in the legal context, he mixes Mu‘tazilite scholasticism with a legal tradition close to that of al-Mu‘ayyad. No systematic account of his theological treatment of the duty is called for; what he has to say falls squarely within the tradition of ‘Abd al-Jabbār with which we are already familiar.¹⁰⁴ The following survey will therefore concentrate on the mixture found in his legal works, which is typical for what I have called the Zaydī–Mu‘tazilite symbiosis.

Ibn al-Murtaḍā includes a brief, highly concentrated treatment of forbidding wrong at the end of an epitome of Zaydī law which he composed during his years in prison following an unsuccessful imamate.¹⁰⁵ This terse

¹⁰⁰ For the biography of Ibn al-Murtaḍā, see Shawkānī (d. 1250/1834), *al-Badr al-ṭālī‘*, Cairo 1348, 1:122–6. In what follows I leave aside his *Ṭabaqāt al-Mu‘tazila*. He there refers only once to *al-amr bi’l-ma‘rūf*, stating that its obligatoriness is one of the things the Mu‘tazilites agree on (*Ṭabaqāt*, 8.10). ¹⁰¹ Ibn al-Murtaḍā, *Durar*, f. 240b.9.

¹⁰² Cf. above, note 72.

¹⁰³ *Ibid.*, ff. 240b.8–244b.15; cf. also the very brief coverage in Ibn al-Murtaḍā, *Qalā’id*, 149f.

¹⁰⁴ See above, ch. 9, section 3. There is no sign of influence from the school of Abū ‘l-Ḥusayn, except on one point (cf. below, notes 110, 112). I shall include a few points of interest from the *Durar* in the notes to what follows.

¹⁰⁵ Ibn al-Murtaḍā (d. 840/1437), *Azhār*, ed. Š. Mūsā, Beirut 1975, 529–31 (the editor gives the title as ‘*Uyūn al-Azhār*’ to include his own footnoted commentary). The work was a standard textbook of Zaydī law for students (Shawkānī (d. 1250/1834), *al-Sayl al-jarrār*,

statement of his views can be filled out from the account he gives in a much larger work on comparative law.¹⁰⁶ To convey a sense of the character of the material, I shall follow the text of the epitome, with parenthetical expansions from the larger work.

Ibn al-Murtaḍā's opening lines¹⁰⁷ are considerably more elaborate than the introductory statement of al-Mu'ayyad's account,¹⁰⁸ but he leaves aside such theoretical questions as the basis of the obligation in revelation, whether the duty is also grounded in reason, and whether it is individual or collective. {In the larger work he touches on the first point, but not on the others.}¹⁰⁹ He does, however, attend to the practical matter of the conditions of obligation: rather than mentioning only the ability to carry off the task, as al-Mu'ayyad does, he works in four of the five standard conditions. {In the larger work he sets out the full schema of five conditions, which are essentially those of Mānkḍīm; but the order is not the same, and one condition is slightly different.}¹¹⁰ He also specifies that every legally competent

ed. M. I. Zāyid, Beirut 1985, 1:3.7). The writing is so dense that, taken on its own, much of it would be unintelligible. I have also used the standard commentary on the *Azhār* by Ibn Miṭṭāḥ (*Muntaza*^ʿ, 4:582–97, with numerous scholia reproduced at the foot of the page; it is stated on the title-page that the copy from which the text was printed derives from one that had belonged to Shawkānī). Shawkānī describes this commentary as that on which students relied down to his own day (*Badr*, 1:394.16); as he remarks, the work is an abridgement of a larger commentary written by Ibn al-Murtaḍā himself (*ibid.*, 394.19). The scholia are rich in detail culled from a variety of Zaydī sources. Among other things, they raise a very practical question which I have not seen discussed elsewhere: how exactly is one's obligation to right a wrong affected by the physical distance intervening between oneself and it? (Ibn Miṭṭāḥ, *Muntaza*^ʿ, 4:582.21, and cf. 583.20, 585.20; an idea advanced in the first passage is that the obligation is extinguished beyond a one-mile radius).

¹⁰⁶ Ibn al-Murtaḍā, *Baḥr*, 5:464–8 (cited in Madelung, 'Amr be ma'rūf', 993b). This account incorporates a good many passages from the *Azhār*, but changes their order, adds much new material, and gives divergent opinions with attribution.

¹⁰⁷ Ibn al-Murtaḍā, *Azhār*, 529.15. ¹⁰⁸ Cf. above, 238.

¹⁰⁹ Ibn al-Murtaḍā, *Baḥr*, 5:464.10. In the *Durar* he deals adequately with the first two questions (f. 241a.25, 241b.13), but on the third he merely quotes a statement that all who consider *al-amr bi'l-ma'rūf* obligatory hold it to be a collective obligation (*ibid.*, 241b.11). With Najārī (d. 877/1473), by contrast, we have clear statements that it is a collective duty (see his *Shāfi' al-'alīl*, ed. A. 'A. A. al-Shāmī, Ṣan'ā' and Beirut 1987–, 1:422.2, and the citation from his commentary to the introductory books of the *Baḥr* in Strothmann, *Staatsrecht*, 92 n. 5, stating that the Zaydīs and Mu'tazilites agree on this point). The *Muntaza*^ʿ is similarly explicit (Ibn Miṭṭāḥ, *Muntaza*^ʿ, 4:582.8). See also above, ch. 9, note 101.

¹¹⁰ Ibn al-Murtaḍā, *Baḥr*, 5:465.4. The fifth condition is that one must know, or at least think, that if one takes no action, the wrong will happen (*ibid.*, 466.2). In the *Durar*, where the order is different again, the corresponding condition requires that the right or wrong in question should not already be past (*lam yafūṭā*) (f. 242a.13). With regard to the condition that proceeding should not lead to (worse) side-effects, Ibn al-Murtaḍā here notes an unusual contrary view: if the offender reacts by doing something worse, the entire responsibility is his (*ibid.*, f. 242b.9). It should be added that there is no trace in any of Ibn al-Murtaḍā's accounts of Abū 'l-Ḥusayn's distinctive approach to the conditions (cf. above, ch. 9, 222f.). In his *Luma*^ʿ, 'Alī ibn al-Ḥusayn introduces his brief statement of the conditions by making a distinction between those that must be satisfied for it to be good to proceed, and those that must hold for it to be obligatory; but he then goes on to list the usual five conditions (f. 220a.5; similarly Muḥallī, *Umda*, 298.13).

Muslim is subject to the obligation,¹¹¹ slips in a statement that when the conditions (which ones?) are not satisfied it is usually bad to proceed,¹¹² makes the usual point about tolerating the divergences of rival law-schools,¹¹³ and restricts taking action against a minor who is not in one’s charge¹¹⁴ – all this in just over five lines. He further states that escalation may extend to killing.¹¹⁵ [In the larger work he charts a more elaborate escalation: admonition, insult, smashing up musical instruments, clubbing people with sticks, confronting them with arms – but in the public interest he reserves the gathering of an army (*jaysb*) to the imam.]¹¹⁶ So far, then, almost all of what Ibn al-Murtaḍā has to say is in the Mu‘tazilite tradition.

Then follows a passage similar in content to al-Mu‘ayyad’s guidance on

¹¹¹ In the scholia to the *Muntaza‘* we find the view that the infidel too is obligated (Ibn Miṭṭāḥ, *Muntaza‘*, 4:582.14; cf. above, ch. 9, note 147).

¹¹² Ibn al-Murtaḍā contradicts himself in his fuller discussions of the question whether, if the obligation is voided by danger, it is still good to proceed. In the *Baḥr* he takes the usual view that it depends on whether such action would be for the greater glory of the faith, though he also quotes the contrary view of Yaḥyā ibn Ḥamza (d. 749/1348f.), with citation of Q9:111 (*Baḥr*, 5:465.14). In the *Durar*, however, Ibn al-Murtaḍā rejects the view that one may distinguish those cases in which the greater glory of the faith comes into play from those in which it does not (f. 242a.25). The latter, unlike the former, aligns him with Yaḥyā ibn Ḥamza on the side of Abū ‘l-Ḥusayn against ‘Abd al-Jabbār (cf. above, ch. 9, note 74; note, however, that Yaḥyā ibn Ḥamza does not cite Q9:111 in his discussion of danger to oneself in his *Shāmīl*). In the *Muntaza‘* the view is raised (and rejected) that it might be good to proceed even when one lacks actual knowledge of the law (Ibn Miṭṭāḥ, *Muntaza‘*, 4:583.7; also Ṣu‘aytirī, *Ta‘līq*, f. 390a.27).

¹¹³ Cf. above, ch. 9, 214. In the *Baḥr* he mentions a view of Yaḥyā ibn Ḥamza that the imam is exempt from this restriction, but indicates doubt about this (*Baḥr*, 5:466.12; cf. also ‘Alī ibn al-Ḥusayn, *Luma‘*, f. 220b.14 and the scholion thereto, and Ṣu‘aytirī, *Ta‘līq*, f. 391a.9); however, this view does not appear in the discussion of the relevance of disagreement among law-schools in Yaḥyā ibn Ḥamza’s *Shāmīl* (f. 184a.21). In the *Muntaza‘* consideration is given to such contentious matters as exposure of the knee (Ibn Miṭṭāḥ, *Muntaza‘*, 4:585.5) and the procedure to be adopted if one does not know the law-school of the putative offender (*ibid.*, 586.2); a scholion excludes tolerance in matters on which there is consensus among the *ahl al-bayt*, such as drinking *muthallath* and singing (*ibid.*, 585.28; for *muthallath*, see above, ch. 9, notes 92f.). Ṣu‘aytirī (or his source) states that those who hold that every *muṭtabid* is right (*kull muṭtabid muṣīb*) are in favour of tolerance, whereas those who hold that truth is one (*al-ḥaqq waḥīd*) are against it (*Ta‘līq*, f. 391a.13).

¹¹⁴ The text runs: *wa-lā gḥayr walī ‘alā ṣaḡhūr bi’l-idrār illā ‘an idrār*, which sums up all the main points made in earlier discussions (see above, note 86). Elsewhere Ibn al-Murtaḍā includes lunatics in the analysis (*Baḥr*, 5:466.13); Ibn Miṭṭāḥ extends it to animals (*Muntaza‘*, 4:586.9). See also ‘Alī ibn al-Ḥusayn, *Luma‘*, f. 221a.6, in the scholion; above, ch. 9, note 149.

¹¹⁵ Elsewhere Ibn al-Murtaḍā contrasts the positive attitude of the Mu‘tazilites towards the use of the sword in *al-amr bi’l-ma‘rūf* with the negative view of the Ḥashwiyya and the Imāmī view that the presence of the imam is required (*Qalā‘id*, 149.3; *Durar*, f. 241a.20). In the *Muntaza‘* a distinction is made: individuals may kill in *inkār al-munkar*, but only the authorities may do so in *al-amr bi’l-ma‘rūf* (*ibid.*, 583.2; and cf. ‘Alī ibn al-Ḥusayn, *Luma‘*, f. 220b.13).

¹¹⁶ Ibn al-Murtaḍā, *Baḥr*, 5:466.8. He notes the contrary view of Ghazzālī (for which see below, ch. 16, 441). In fact Ghazzālī’s account – at one remove – lies behind the whole set of escalatory stages (see below, ch. 16, 438–41). The intermediary source can be identified as a work of Yaḥyā ibn Ḥamza (*Taṣfiyat al-qulūb*, Cairo 1985, 490–4). See below, 246.

practicalities, though it adds to it here and there.¹¹⁷ Thus Ibn al-Murtaḍā allows uninvited entry when there is good reason to believe that a wrong is being committed.¹¹⁸ {In the larger work he rules out spying on people, quoting Q49:12; the duty applies to what is out in the open.}¹¹⁹ He goes on to pouring out what is suspected to be wine,¹²⁰ subject to compensation in the event of error.¹²¹ There is a new provision that one should correct errors that affect the sense in works of religious guidance,¹²² but the treatment prescribed for books containing unbelief is familiar.¹²³ Likewise musical instruments not normally used for any other purpose are to be smashed or ripped, subject to the return of the pieces to the extent that they retain any value, unless they are withheld by way of punishment.¹²⁴ He then treats decorative art (where the problem begins with free-standing images of whole animals) and slander.¹²⁵ {In the larger work a long list of wrongs against which action should be taken is inserted, divided according to context.}¹²⁶ The next topic is the question of unjust rulers. It is obligatory to assist an oppressor (*ẓālim*) in establishing a right or eliminating a wrong, and to aid the less bad against the worse oppressor, provided this does not strengthen him in his oppression.¹²⁷ Finally Ibn

¹¹⁷ Ibn al-Murtaḍā, *Azhbār*, 530.7; cf. above, 238–40.

¹¹⁸ Cf. above, 239 item (3). In the *Baḥr* this is given as the view of Uṭrūsh (see above, note 23). Shawkānī in his commentary on the *Azhbār* puts forward the view that actual knowledge is required here, but then in effect takes it back (*Sayl*, 4:591.6). In both works Ibn al-Murtaḍā adds that one should enter even an unlawfully possessed property (*Azhbār*, 530.7; *Baḥr*, 5:466.7); in other words, the duty overrides respect for the rights of the true owner. ¹¹⁹ *Ibid.*, 466.5.

¹²⁰ Shawkānī again requires actual knowledge (*Sayl*, 4:591.13). For an exposition of the complexities of the law of vinegar, see Ibn Miftāḥ, *Muntazaʿ*, 4:587.10.

¹²¹ Cf. above, 238f. item (2).

¹²² In the scholia to the *Muntazaʿ*, some doubt is expressed on this point other than in cases where the legal status (lawful, forbidden, etc.) of an action is at stake, or where the text in question is a Koran (*ibid.*, 588.18).

¹²³ Cf. above, note 87.

¹²⁴ Cf. above, 238 item (1). The reference to punishment (*ʿuqūba*) is out of place in the context of *al-amr bi'l-ma'rūf*. Shawkānī adds as a condition for return to the owner that it must not be possible to reuse the pieces in making a new instrument (*Sayl*, 4:593.4). For brief statements of the Zaydī law of music, see Ibn al-Murtaḍā, *Baḥr*, 5:27.5 (singing), 30.6 (instruments) (cited in Serjeant, 'A Zaidī manual of ḥisbah', 17 n. 7).

¹²⁵ On these topics see also 'Alī ibn al-Ḥusayn, *Lumaʿ*, 221b.3, 222a.3.

¹²⁶ Ibn al-Murtaḍā, *Baḥr*, 5:466.15. The framework and a good many of the examples derive from Ghazzālī's survey of common wrongs (for which see below, ch. 16, 442–6), again through Yahyā ibn Ḥamza's recension (*Taṣfiya*, 494–505). That Ibn al-Murtaḍā was using the *Taṣfiya* rather than the *Ihyāʾ* itself is indicated by such agreements as the following: (1) Ibn al-Murtaḍā and Yahyā both use the word *ḍibāj* in a context in which Ghazzālī does not (*Baḥr*, 5:466.18; *Taṣfiya*, 496.1; *Ihyāʾ*, 2:308.14); (2) Ibn al-Murtaḍā and Yahyā use the term *ḍāriya* where Ghazzālī does not (*Baḥr*, 5:466.20; *Taṣfiya*, 499.21; *Ihyāʾ*, 2:310.32).

¹²⁷ Cf. above, 239f. item (5). This is not a topic discussed in the mainstream Muʿtazilite tradition on *al-amr bi'l-ma'rūf*. Yahyā ibn Ḥamza briefly considers the question whether those who hold illegitimate power (*al-fussāq min umarāʾ al-ẓulm wa-ahl al-jawr*) have a duty to right wrongs (*Shāmil*, f. 185a.24), but even this is isolated.

al-Murtaḍā turns to relations with the wicked in general. One can be on friendly terms with a wicked man (*fāsiq*) in the interests of the faith; more than this is forbidden.¹²⁸

In all this there was little that was new, and little that would change for some centuries to come. The only significant exception is some traces of an encounter with the thought of Ghazzālī, from whom the escalatory schema cited above ultimately derives.¹²⁹ The encounter had in fact taken place a century earlier; the Zaydī protagonist was the imam al-Mu‘ayyad Yaḥyā ibn Ḥamza (d. 749/1348f.), more familiar in this study as a Mu‘tazilite in the school of Abū ‘l-Ḥusayn.¹³⁰ Yaḥyā must have owed his knowledge of Ghazzālī’s *Revival of the religious sciences* to the Yemeni Shāfi‘ites.¹³¹ One of his books can fairly be described as a Zaydī recension of this work of Ghazzālī,¹³² and it includes an account of forbidding wrong abridged from parts of Ghazzālī’s treatment with some degree of modification.¹³³ In the case of the escalatory schema, Yaḥyā reproduces Ghazzālī’s succession of stages,¹³⁴ including the gathering of armed supporters. But Yaḥyā takes issue with Ghazzālī on this last stage, adopting the position that such activity is not for individuals, and endorsing this as the view of the Zaydī and Mu‘tazilite authorities.¹³⁵ We are thus treated to a somewhat unusual spectacle: the view of a Sunnī scholar is rejected by a Zaydī imam as too activist.¹³⁶ This, in fact, is Yaḥyā’s only serious challenge to Ghazzālī’s doctrine of forbidding wrong in this work.

But Yaḥyā’s encounter with Ghazzālī’s thought was not limited to this context.¹³⁷ His account of forbidding wrong in his major theological

¹²⁸ Ibn al-Murtaḍā, *Azhbār*, 531.5. The discussion of unjust rulers clearly goes back to al-Mu‘ayyad, and that of relations with the wicked has a precedent in his school (see the treatment of interaction with a wicked neighbour quoted from a *Ta‘liq al-Ifūda* in ‘Alī ibn al-Ḥusayn, *Luma‘*, f. 222b.1). There is no treatment of these topics in the discussion of *al-amr bi’l-ma‘rūf* in the *Baḥr*. Shawkānī in his commentary to the *Azhbār* makes a series of points which considerably soften Ibn al-Murtaḍā’s view (*Sayl*, 4:601.3).

¹²⁹ See above, note 116. ¹³⁰ For Yaḥyā ibn Ḥamza, see above, ch. 9, note 115.

¹³¹ See below, ch. 16, notes 160f., 184. ¹³² As noted in Ḥibshī, *Maṣādir*, 618 no. 13.

¹³³ Yaḥyā ibn Ḥamza, *Tasfiya*, 484–515, abridged from Ghazzālī, *Iḥyā’*, 2:280–5, 301–5, 307–26. Yaḥyā inserts occasional references to Zaydī doctrine on this point or that (*Tasfiya*, 494.1, 495.5, 500.17–501.7); he customises Ghazzālī’s references to heretics so that they now refer to predestinationists and anthropomorphists (*ibid.*, 496.7, 503.9; cf. *Iḥyā’*, 2:308.19, 312.15); he omits the discussion of snow as a public nuisance (*ibid.*, 310.29, cf. *Tasfiya*, 499.16); he makes an egregious prosopographical error whereby he presents Sufyān al-Thawrī (d. 161/778) as a contemporary of the caliph al-Mu‘taḍid (r. 279–89/892–902) (*ibid.*, 512.19; cf. *Iḥyā’*, 2:325.29); and so forth.

¹³⁴ Yaḥyā ibn Ḥamza, *Tasfiya*, 490–4. ¹³⁵ *Ibid.*, 494.1.

¹³⁶ For Yaḥyā’s understandable stress on the role of the imam in *al-amr bi’l-ma‘rūf*, cf. also *Tasfiya*, 506.1, where he inserts a passage not found at *Iḥyā’*, 2:314.5. For Ghazzālī’s radical tendencies – unexpected in the Sunnism of his day – see below, ch. 16, 456f.

¹³⁷ Ḥibshī notes a pamphlet of Yaḥyā’s refuting Ghazzālī’s lenient view of *samā’* (*Maṣādir*, 620 no. 36).

treatise¹³⁸ is likewise influenced by Ghazzālī. Here he introduces a schema, central to Ghazzālī's presentation, in which forbidding wrong is analysed in terms of four basic elements (*arkān*).¹³⁹ However, the substantive doctrine which Yaḥyā presents within this framework differs from Ghazzālī's in some respects, most strikingly in excluding women and slaves from performing the duty.¹⁴⁰ Women are excluded for two reasons: first, because of their frivolity and impotence; and second, because the law does not give them authority (*walāya*) over themselves, let alone over such weighty matters.¹⁴¹ Slaves are likewise excluded for two reasons: the first is their low status in people's eyes, which renders them unsuitable to undertake the duty; the second, omitted in our text, should presumably have been the same lack of authority that afflicts women.¹⁴²

If Yaḥyā allowed Ghazzālī to shape some of his discussion of forbidding wrong in a major theological treatise, it is not unlikely that he did the same in his major legal work;¹⁴³ but I do not have access to the relevant part of it, if indeed it is extant.¹⁴⁴ Be this as it may, the intrusion of Ghazzālī's thought into the Zaydī heritage is significant. We see in it an early example of a Sunnī penetration of the sect that was to become increasingly pervasive with the passing of the centuries.

6. THE SUNNISATION OF ZAYDISM

Almost all the Zaydī material considered so far in this chapter, whether Mu'tazilite or not, is consistent on two points. One is the absence of the

¹³⁸ For the *Shāmīl* of Yaḥyā ibn Ḥamza, see above, ch. 9, note 115. There are explicit references to Ghazzālī in the work (as at ff. 3b.19, 4b.20), but not in the discussion of *al-amr bi'l-ma'rūf*.

¹³⁹ *Ibid.*, f. 185a.4–185b.17; compare Ghazzālī, *Iḥyā'*, 2:285–305, for which see below, ch. 16, 428f. and the exposition that follows there. Yaḥyā does not adopt Ghazzālī's distinctive *ḥisba* terminology, but the equivalences are clear. His discussion is much less extensive than Ghazzālī's.

¹⁴⁰ Yaḥyā ibn Ḥamza, *Shāmīl*, f. 185a.7, specifying that the performer of the duty must be, among other things, male and free. Note also Yaḥyā's categorical exclusion of boys (*ibid.*, f. 185a.9; contrast below, ch. 16, 429). Likewise the discussion of Islam as a prerequisite for the performance of the duty (*ibid.*, f. 185a.19) owes nothing to Ghazzālī's discussion of the issue (see below, ch. 16, 429f.), and uses material from Ibn al-Malāḥimī (see above, ch. 9, note 139). Similarly the discussion of restraint of boys from wrongdoing is in the Mu'tazilite tradition (*ibid.*, f. 185b.4; cf. above, ch. 9, 222, and below, ch. 16, 438).

¹⁴¹ *Ibid.*, f. 185a.12. The view that a woman possesses no authority over herself is no doubt linked to the doctrine that only her guardian (*walī*) can give her in marriage; but I do not have access to a statement of Yaḥyā ibn Ḥamza's view on this point. ¹⁴² *Ibid.*, f. 185a.16.

¹⁴³ For the *Intiṣār* of Yaḥyā ibn Ḥamza, see Ḥibshī, *Maṣādir*, 617 no. 8. The full title of the work as given there suggests that it may have served as a major source for Ibn al-Murtaḍā's *Baḥr*.

¹⁴⁴ That it covered *al-amr bi'l-ma'rūf* is confirmed by a later author's citation (see below, note 146). Ibn al-Murtaḍā twice cites views of Yaḥyā which cannot be taken from the *Shāmīl* (see above, notes 112f.); their most likely source is the *Intiṣār*.

notion of performing the duty in the heart.¹⁴⁵ The other is the endorsement of recourse to arms where necessary¹⁴⁶ – a recourse which fits effortlessly into the long Zaydī tradition of rebellion against unjust rule. On both points, Zaydism and Mu‘tazilism were in accord.¹⁴⁷ However, the later history of Yemeni Zaydism is marked by two parallel phenomena: the decay of the Mu‘tazilite tradition,¹⁴⁸ and the penetration of the sect by Sunnī traditionism.¹⁴⁹ The result was that Zaydī conceptions of forbidding wrong

¹⁴⁵ In Zaydī texts earlier than those about to be discussed, I know of very few instances of this idea. One is the tradition in the *Majmū‘ al-ḥiḡh* (see above, note 8, for this tradition and a Sunnī parallel; and cf. above, note 13, for what seems to be a Sunnī tradition in a Zaydī work). Another instance is found in a tract ascribed to Qāsim ibn Ibrāhīm (for the ascription, see above, note 15). Here the discussion of *al-amr bi’l-ma‘rūf* in some ways fits well into the Zaydī Mu‘tazilite tradition: the author speaks positively of recourse to the sword, and refers to the use of the tongue as the minimal (*adnā*) form of the duty (*al-‘Adl wa’l-tawḥīd*, in ‘Umāra, *Rasā’il*, 1:130.18; something seems to be missing before *bi-kull*). Then follows a reference to *inkār* . . . *bi’l-qalb*, combined with determination to act once it becomes possible to do so (*ibid.*, 130.20). The only other unusual feature of this discussion is that reference is made to the duty to avoid offenders socially (*ibid.*, 130.15, 131.2; it is not presented as performance with the heart). For whatever reason, this theme is not usually included in Zaydī or Mu‘tazilite accounts of *al-amr bi’l-ma‘rūf* (for what might be a Mu‘tazilite exception see below, ch. 12, note 206)). For a third instance, see above, ch. 9, note 76. Note, however, that ‘Abdallāh ibn al-Ḥusayn (al-Hādī’s brother) speaks of the duty as one to be carried out against offending Muslims by hand and tongue, according to one’s ability (*Nāsikh*, f. 45b.1) – with no mention of the heart. The idea is likewise absent from the scholia to Ibn Miftāḥ’s *Muntaza‘*.

¹⁴⁶ Contrary opinions are rare. Šu‘aytirī quotes from the *Intiṣār* (sc. of Yahyā ibn Ḥamza) the view that, when action against a wrong requires killing and fighting, this is for the imams to undertake, and not for individual Muslims (*Ta’līq*, f. 390b.31; cf. above, note 135, also above, ch. 9, note 23). Less sweeping qualifications are also found. Thus one view is that, if what is at issue is a matter of *ṣhar‘* (e.g. prayer) as opposed to ‘*aql*’ (e.g. repayment of a debt), then under the rubric of *al-amr bi’l-ma‘rūf* (as opposed to *al-nahy ‘an al-munkar*) the use of the sword is restricted to the imam (see ‘Arīf, *Šīla*, 349f., and particularly the quotation from Najārī, *ibid.*, 350.8). ‘Arīf states that this is a Zaydī position upheld against the Mu‘tazilite view. See also above, note 115.

¹⁴⁷ With regard to recourse to arms, this agreement is pointed out by Najārī (see the passage quoted in Strothmann, *Staatsrecht*, 92 n. 5).

¹⁴⁸ Madelung, *Qāsim*, 221. Imam al-Manṣūr al-Qāsim ibn Muḥammad (d. 1029/1620) still discusses *al-amr bi’l-ma‘rūf* in the old scholastic tradition in his *al-Asās li-‘aḡā’id al-akyās*, ed. A. N. Nādir, Beirut 1980, 176–8. He takes the unusual view that the prospective inefficacy of one’s action does not dispense one from the obligation to proceed (*ibid.*, 176.13); this is a view characteristic of Nawawī (d. 676/1277), and could reflect Shāfī‘ite influence (see below, ch. 13, 352f.). He also transmits a subtle point I have not seen elsewhere: if, by the time one has reflected on the correct point in the escalatory sequence at which to pitch one’s intervention, the wrong will already have been committed, then one should act without reflection (*ibid.*, 177.19). For Qāsim’s Mu‘tazilism (and formal anti-Mu‘tazilism), see Madelung, *Qāsim*, 220.

¹⁴⁹ An early representative of this trend is Ibn al-Murtaḡā’s contemporary Ibn al-Wazīr (d. 840/1436). For example, he attacks such Zaydī *ḥadīth* collections as there were as worthless (*al-Rawḡ al-bāsim fi’l-dhabb ‘an sunnat Abī’l-Qāsim*, Cairo n.d., 1:89.20), and asks rhetorically how one can rely on them in preference to the works of the (Sunnī) traditionists (*ibid.*, 91.6). Shawkānī remarks approvingly of him that he writes like Ibn Ḥazm and Ibn Taymiyya, and not like his (Zaydī) contemporaries and successors (*Badr*, 2:91.16); he takes his biographical entry on Ibn al-Wazīr as an opportunity for a long statement of his own Sunnising traditionist views (*ibid.*, 83–90). Contrast the dismissive

were increasingly assimilated to those of Sunnī Islam. Most obviously, the notion of performance in the heart became ever more commonplace, followed eventually by the repudiation of rebellion against unjust rule.

Already in the tenth/sixteenth century Bahrān al-Šaʿdī (d. 957/1550) composed a work tracing the traditions quoted in Ibn al-Murtaḍā's work on comparative law to the classical Sunnī collections.¹⁵⁰ He includes the standard Sunnī 'three modes' tradition, with its reference to performance in the heart as the minimal form of faith¹⁵¹ – unnecessarily, since characteristically Ibn al-Murtaḍā had not adduced it. In the eleventh/seventeenth century, the Sunnising Maqbalī (d. 1108/1696f.)¹⁵² remarks that, in treating the subject of forbidding wrong in one of his works, he had adorned his discussion with some seventy Prophetic traditions – most of which can only have been Sunnī.¹⁵³ In the twelfth/eighteenth century Ibn al-Amīr al-Šanʿānī (d. 1182/1768), a well-known traditionist who at one point had some sympathy for the Wahhābīs,¹⁵⁴ was able to take the idea of performance in the heart for granted. He used it in a philo-Wahhābī pamphlet to refute the idea that a consensus established by silence legitimises the toleration of polytheistic practices among (supposed) Muslims: since the duty could be performed in the heart, it followed that the silence of earlier authorities could not be read as consent.¹⁵⁵ He applied the same argument in refuting the view that such a consensus validated the failure of the Muslims to expel the Jews from the Yemen in accordance with the Prophet's instructions.¹⁵⁶

attitude to Sunnī *ḥadīth* of al-Mahdī al-Ḥusayn ibn al-Qāsim (d. 404/1013f.): 'most of the *ḥadīth* of this community (*umma*) is noxious, hypocritical and frivolous' (cited in Strothmann, 'Die Literatur der Zaiditen', 73).

¹⁵⁰ Bahrān al-Šaʿdī (d. 957/1550), *Jawāhir al-akhbār*, printed at the foot of the page in Ibn al-Murtaḍā, *Baḥr*.

¹⁵¹ Šaʿdī, *Jawāhir*, 5:464.19, mentioning its appearance in Muslim and elsewhere. For this tradition, see above, ch. 3, section 1.

¹⁵² Shawkānī regards Maqbalī as a man after his own heart: on the one hand an opponent of *taqlīd*, and on the other an enemy of the extreme Shiʿism of the Yemeni 'Jārūdiyya' (*Badr*, 1:288.10, 289.5, 291.10).

¹⁵³ Maqbalī (d. 1108/1696f.), *al-Manār fī 'l-mukhtār*, Beirut and Šanʿā 1988, 2:505.7. For his use of Sunnī materials, compare his bruising discussion of the traditional inclusion of the Shiʿite *ḥayya 'alā khayri 'l-ʿamal* in the Zaydī *adhān* (*ibid.*, 1:145–7). Qāsim al-Manšūr, by contrast, still happily cites the consensus of the family of the Prophet (*ijmāʿ al-ʿitra*) (*Asās*, 177.16, 178.15).

¹⁵⁴ See M. Cook, 'On the origins of Wāḥḥabism', *Journal of the Royal Asiatic Society*, series 3, 2 (1992), 200f.

¹⁵⁵ Ibn al-Amīr al-Šanʿānī (d. 1182/1768), *Taṭbīr al-iʿrīqād ʿan adrān al-ilḥād*, ed. M.ʿA. Khafājī, Cairo 1954, 46–8, esp. 46.17, 47.2 (echoing the three modes tradition). For negative attitudes to the idea of consensus established by silence in *uṣūl al-fiqh*, see H. Modarressi Tabātabāʾī, *Kharāj in Islamic law*, London 1983, 86.

¹⁵⁶ Ibn al-Amīr al-Šanʿānī (d. 1182/1768), *Subul al-salām*, Beirut 1960–71, 4:62.20 (with reference to the three modes, *ibid.*, 62.25). He observes that his argument is an original one (*ibid.*, 62.29).

The culminating figure in the Sunnisation of Zaydism was Shawkānī (d. 1250/1834).¹⁵⁷ One of his works was a commentary on Ibn al-Murtaḍā’s epitome of Zaydī law.¹⁵⁸ When he reached the section on forbidding wrong, he formally laid out the doctrine of the three modes, and stressed the Prophetic authority behind them.¹⁵⁹ Performance in the heart, he noted, is an unobservable mental act.¹⁶⁰ A less formal appeal to the notion occurred in his lifetime during a visit by a Sa‘ūdī embassy to Ṣan‘ā’ in 1222–3/1807–8. The Sa‘ūdī ambassador accused the Yemenis of unbelief because of their failure to confront the imam and his followers with regard to their current misdeeds. The Yemeni historian Jaḥḥāf (d. 1243/1827f.), a pupil of Shawkānī,¹⁶¹ responded that forbidding wrong is divided into parts; since the Yemenis were unable to perform it with the hand or tongue, they were left only with the third part, viz. performance in their hearts.¹⁶² The assimilation of this notion can be set alongside the adoption by Shawkānī of the characteristic Sunnī traditionalist rejection of rebellion against unjust rulers.¹⁶³

This development did not mean that Shawkānī and those who thought like him took the duty less seriously than their forbears. Shawkānī himself regarded forbidding wrong as a matter of overriding importance for the welfare of the Muslim community at large, and of the people of Yemen in particular.¹⁶⁴ Nor was this just a matter of generalities. He describes a

¹⁵⁷ For a recent discussion of this key figure, see B. Haykel, ‘Al-Shawkānī and the jurisprudential unity of Yemen’, *Revue du Monde Musulman et de la Méditerranée*, 67 (1994). The publication of the author’s dissertation will much advance our understanding of Shawkānī and of the wider trend in the history of Yemeni Zaydism which he represents (B. A. Haykel, ‘Order and righteousness: Muḥammad ‘Alī al-Shawkānī and the nature of the Islamic state in Yemen’, Oxford D.Phil. 1997).

¹⁵⁸ On this work, see H. ‘A. al-‘Amrī, *The Yemen in the 18th & 19th centuries*, London 1985, 152–64 (this study was drawn to my attention by Frank Stewart).

¹⁵⁹ Shawkānī, *Sayl*, 4:586.11; cf. also *ibid.*, 587.4, 587.20, 600.9. Again, compare his negative stance towards the inclusion of ḥayya ‘alā khayri ‘l-‘amal in the *adhān* (*ibid.*, 1:205.4).

¹⁶⁰ *Ibid.*, 4:587.7 (*amr kā’in fi ‘l-qalb lā yaẓhar fi ‘l-khārij*). The other noteworthy feature of Shawkānī’s commentary is his diatribe against the law-schools (*ibid.*, 588.15), inevitably triggered by Ibn al-Murtaḍā’s concession to their differences.

¹⁶¹ On Jaḥḥāf, see A. F. Sayyid, *Maṣādir ta’rīkh al-Yaman fi ‘l-‘aṣr al-Islāmī*, Cairo 1974, 289–91 no. 15. Shawkānī states that Jaḥḥāf was his pupil (*Badr*, 2:60.21).

¹⁶² Jāsir, ‘al-Šilāt bayn Ṣan‘ā’ wa’l-Dir‘iyya’, 447.

¹⁶³ See Shawkānī (d. 1250/1834), *al-Durar al-bahīyya*, in his *al-Darārī al-muḍiyya*, Cairo 1986, 505.2, together with the torrent of quietist traditions in his own commentary thereto (*ibid.*, 505.8; there is a brief confrontation with the old Zaydī activism, *ibid.*, 506.16). His son’s commentary to the *Durar* conveys the same message (Aḥmad al-Shawkānī (d. 1281/1864), *al-Sumūṭ al-dhababīyya*, ed. I. B. ‘Abd al-Majīd, Beirut 1990, 326.17).

¹⁶⁴ For a general statement of its importance, see Shawkānī (d. 1250/1834), *Raf‘ al-rība*, printed with his *Sharḥ al-ṣudūr bi-taḥrīm raf‘ al-qubūr*, ed. M. Ḥ. al-Fiqī, n.p. 1366, 32–7. For similar rhetoric in a pamphlet on the problems of the Yemen, see Shawkānī’s

scholar of whom he approved, ‘Abdallāh ibn Luṭf al-Bārī al-Kibṣī (d. 1173/1759f.), as a noted performer of the duty,¹⁶⁵ and is pleased to recount an anecdote set in the streets of Ṣan‘ā’ in which our scholar separated a lascivious soldier from a woman, ignoring the abuse that was heaped upon him in consequence, but refusing to have recourse to the state.¹⁶⁶ In short, Shawkānī had not joined the Ḥashwiyya. The notion of performance in the heart, for all that it lends itself to quietism, does not preclude an active engagement in forbidding wrong.¹⁶⁷ More significantly, Shawkānī holds that performance with the hand extends where necessary to fighting (*muqātala*), and that someone who thereby gets himself killed is a martyr (*shahīd*).¹⁶⁸ Yet this conception of forbidding wrong is no longer a distinctively Zaydī one.¹⁶⁹

al-Dawā’ al-‘ājil, printed in the same volume, 51f., and cf. 56.2 (on this tract, see ‘Amri, *The Yemen*, 121–3).

¹⁶⁵ Shawkānī, *Badr*, 1:393.4, 394.6. Kibṣī shared Shawkānī’s hostility to *taqlīd* (*ibid.*, 393.7).

¹⁶⁶ *Ibid.*, 393.8. Compare the incident noted above, ch. 4, 70.

¹⁶⁷ In three instances we have seen performance in – or with – the heart mentioned by Mu‘tazilite or Zaydī writers who also speak of recourse to arms: in a work ascribed to Qāsim ibn Ibrāhīm (see above, note 145), in one likely to have been written by Abū Ṭālib al-Nāṭiq (see above, ch. 9, notes 76, 78), and in the Koran commentary of al-Ḥākim al-Jishumī (see above, ch. 9, notes 159, 165). Pseudo-Qāsim, like Shawkānī, is speaking of a performance confined within the heart; al-Nāṭiq, by contrast, has in mind a performance with the heart which is externally manifested, while Jishumī’s intention is not clear.

¹⁶⁸ Shawkānī, *Sayl*, 4:586.14, 587.3. I have not, however, seen Shawkānī speak of the sword in connection with the duty, except in one purely rhetorical context (Shawkānī, *Raf‘ al-riḥa*, 36.1). This is in marked contrast with traditional Zaydī formulations (see above, notes 15, 25, 115, 145, 147, but cf. the restrictive views cited above, note 146).

¹⁶⁹ It is a pity that Shawkānī’s traditional Zaydī antagonist, Ibn Ḥarīwa (d. 1241/1825), was executed well before his vigorous rebuttal of the *Sayl* reached the topic of forbidding wrong (I owe this information to Bernard Haykel; see his ‘Order and righteousness’, esp. 231–4). A relatively recent commentator on the *Azhār*, Qāḍī Aḥmad ibn Qāsim al-‘Ansī (d. 1390/1970) (*al-Tāj al-mudhhab li-ahkām al-madhhab*, Ṣan‘ā’ n.d. (preface to this edition dated 1380/1960), 4:468–79 sections 473f.), retains much detail from the old Zaydī commentarial tradition (for the one-mile radius, see *ibid.*, 470.6), and still mentions predestinationism and anthropomorphism as leading heresies (*ibid.*, 475.20 and n. 1); but he cites Sunnī *ḥadīth* as authoritative (*ibid.*, 469.10, 477 n. 1), regards only the Koran readings of the Seven as permissible (*ibid.*, 475.17), and speaks of unobservable performance in the heart (*ibid.*, 471.1 and n. 1); modernity makes its appearance with his insistence that the kind of printed pictures we have today do not count as images (*ibid.*, 477 n.1). I am indebted to Bernard Haykel for drawing this work to my attention and supplying me with a copy of the relevant pages (and see his ‘Order and righteousness’, 276f.).

CHAPTER 11

THE IMĀMĪS

1. INTRODUCTION

The Imāmīs provide the richest and most continuous documentation of the doctrine of forbidding wrong of any sect or school. Though early Imāmī literature is less abundant than that of Sunnī tradition or the Ḥanbalite law-school in the same period, it is far more plentiful than the fragmentary Muʿtazilite and Zaydī record. Thereafter we have at our disposal a succession of Imāmī discussions of the duty which is more or less unbroken from the fifth/eleventh century till the present day. We owe this wealth of material to three circumstances. First, the Imāmīs, like the Zaydīs,¹ made it a practice to give a place to forbidding wrong in their law-books.² Secondly, and unlike the Zaydīs, the Imāmīs waxed numerous over the centuries, and generated a literary heritage that was commensurately large. Thirdly, recent developments in Iran have helped to make this heritage increasingly available in print. We can accordingly set out to write a

¹ See above, ch. 10, note 72.

² Their standard practice is to place it towards the end of the *kitāb al-jihād*. This arrangement is first found with Ṭūsī (d. 460/1067) in his *Nihāya*, and is standard in Imāmī law-books thereafter (except that Ibn al-Barrāj (d. 481/1088) in his *Muhadhhab* and the Muḥaqqiq (d. 676/1277) in his *Sharāʿi* make *al-amr bi'l-ma'rūf* a separate *kitāb* following close after that on *jihād*). Earlier law-books do not conform to this classical pattern. Ibn Bābawayh (d. 381/991f.) clearly does not regard *al-amr bi'l-ma'rūf* as a legal topic at all, since he covers it in the doctrinal section of his *Hidāya* and omits it altogether from his *Muqni'*, as also from his *Faḡih*. Mufid (d. 413/1022) in his *Muqni'a* and Sallār (d. 448/1056) in his *Marāsim* do cover the topic, but at or near the end of the law-book in association with their *kitāb al-ḥudūd wa'l-ādāb*. In his collections of traditions, Ṭūsī adopts the classical pattern in his *Tahdhīb* (thus overriding the arrangement of the *Muqni'a* on which it is a commentary), and does not cover the topic in the *Istibṣār*. The puzzle is that the *Kāfi* of Kulaynī (d. 329/941) exhibits the classical pattern – which suggests that, at this point at least, the arrangement of the *Kāfi* as we have it may be the work of a later redactor (compare Modarressi, *Crisis and consolidation*, 102 and n. 259). Full references for the law-books mentioned in this note will be given below, notes 5, 65–74. In his Koran commentary, Abū 'l-Futūḥ-i Rāzī (first half of the sixth/twelfth century) states that the topic of *al-amr bi'l-ma'rūf* belongs in the detailed discussion of the imamate (*furū'-i abwāb-i imāmat*), which in turn belongs to the *uṣūl al-dīn* (*Rawḍ*, 3:141.17 (to Q3:104)); this statement very probably derives from the same Sunnī source as the traditions which follow it.

more sustained narrative of the history of the doctrine in Imāmism than is possible for any other sect or school. But against the continuity of the record must be set its narrowness of focus. What the Imāmī scholars have to offer is repeated coverage of doctrinal issues of a kind familiar from the Mu‘tazilite tradition. It is in the nature of this material that it displays only a limited number of points of contact with the outside world. There seems to be no substantive Imāmī equivalent to the treatment of forbidding wrong in the Zaydī legal tradition, let alone the responsa of Ibn Ḥanbal, and to this extent the Imāmī story is a much more restricted one.

For the purposes of this study, the history of Imāmī thought can conveniently be divided into three periods. The first I shall refer to as the early Imāmī period. This is the epoch in which the imams were still present in the community, and Mu‘tazilism did not yet dominate Imāmī theology. It was in this context that Imāmī tradition and the earliest Imāmī Koranic exegesis took shape. The second period is that of the classical Imāmī scholars, beginning in the fourth/tenth century and ending – somewhat arbitrarily – in the eighth/fourteenth. The third is that of the later scholars from the eighth to fourteenth/fourteenth to twentieth centuries, including the establishment of an Imāmī state in Iran, but excluding the origins and aftermath of the Iranian revolution. We begin, then, with the early Imāmī period, as reflected in the body of tradition to which it gave rise.

2. IMĀMĪ TRADITION

We can conveniently define the classical core of Imāmī tradition on forbidding wrong as those traditions on the subject that are shared by the authors of two of the classical ‘four books’ of Imāmī tradition, namely Kulaynī (d. 329/941)³ and Abū Ja‘far al-Ṭūsī (d. 460/1067).⁴ There are some twenty of these traditions in all.⁵ The other two of the ‘four books’ do not treat the topic.⁶

³ Kulaynī, *Kāfī*, 5:55–64, at the end of the *kitāb al-jihād*. Kulaynī divides his material into five chapters; the first two (*ibid.*, 55–61) contain the most significant traditions.

⁴ Ṭūsī, *Tahdīb*, 6:176–82. These traditions form a single chapter, again at the end of the *kitāb al-jihād*.

⁵ Kulaynī has thirty-three traditions in all, twenty-one of them in his first two chapters. Ṭūsī has twenty-four. All of Ṭūsī’s traditions bar the last three are also in Kulaynī’s chapters, and this common stock of twenty-one traditions contains all the traditions of any importance; seventeen of them will be cited in what follows. Of the seventeen, approximately four are from the Prophet, three from Muḥammad al-Bāqir (d. c. 118/736), nine from Ja‘far al-Ṣādiq (d. 148/765), and one from ‘Alī al-Riḍā (d. 203/818). The predominance of traditions from al-Ṣādiq is characteristic of Imāmī tradition in general. The three traditions at the end of Ṭūsī’s chapter are taken from al-Shaykh al-Mufid (d. 413/1022), *Muqni‘a*, Qumm 1410, 808.10; this is clear from the order of the traditions, and from the way in which the second is abbreviated. ⁶ Viz. the *Faḡīb* of Ibn Bābawayh, and Ṭūsī’s *Istibṣār*.

Much of this material need not detain us long, and this for two reasons. In the first place, about half of the traditions consist of exhortation without doctrinal content. They emphasise the great importance of forbidding wrong,⁷ its future decay,⁸ the dire consequences to the community of failure to perform it,⁹ and the like.¹⁰ In the second place, about half the material is already familiar from Sunnī tradition¹¹ – though much of it appears in the mouths of Ja‘far al-Šādiq (d. 148/765) and others of the twelve imams,¹² and is transmitted with recognisably Imāmī chains of transmission.¹³

If we concentrate on the traditions that have something substantive to say, we can readily detect a quietist strain which befits the general character of early Imāmism. Nevertheless, most of the ideas pressed into service here are ones familiar from Sunnī tradition. The following, all from Ja‘far al-Šādiq, are cases in point. In one tradition he avers that forbidding wrong is a matter of counselling the faithful and instructing the ignorant, but not of confronting someone armed with a whip or a sword.¹⁴ Asked about the

⁷ Kulaynī, *Kāfi*, 5:58 no. 9 = Ṭūsī, *Tahdhīb*, 6:176 no. 4; Kulaynī, *Kāfi*, 5:59 no. 11 = Ṭūsī, *Tahdhīb*, 6:177 no. 6; Kulaynī, *Kāfi*, 5:59 no. 15; cf. also Kulaynī, *Kāfi*, 5:55f. no. 1 = Ṭūsī, *Tahdhīb*, 6:180f. no. 21; *ibid.*, 181 no. 23.

⁸ Kulaynī, *Kāfi*, 5:59 no. 14 = Ṭūsī, *Tahdhīb*, 6:177 no. 8; and cf. also Kulaynī, *Kāfi*, 5:55f. no. 1 = Ṭūsī, *Tahdhīb*, 6:180f. no. 21.

⁹ Kulaynī, *Kāfi*, 5:56 no. 3 = Ṭūsī, *Tahdhīb*, 6:176 no. 1; Kulaynī, *Kāfi*, 5:56f. no. 4 = Ṭūsī, *Tahdhīb*, 6:176 no. 2; Kulaynī, *Kāfi*, 5:57 no. 5 = Ṭūsī, *Tahdhīb*, 6:176 no. 3; Kulaynī, *Kāfi*, 5:59 no. 13 = Ṭūsī, *Tahdhīb*, 6:177 no. 7; Kulaynī, *Kāfi*, 5:56 no. 2 = Ṭūsī, *Tahdhīb*, 6:180 no. 20; *ibid.*, 181 no. 22; Kulaynī, *Kāfi*, 5:57f. no. 6 (for this last, see also Nagel, *Staat und Glaubensgemeinschaft*, 1:221, citing other sources).

¹⁰ Kulaynī, *Kāfi*, 5:58 no. 7; and cf. Ṭūsī, *Tahdhīb*, 181f. no. 24. All this and further exhortatory material is consolidated into a chapter on the theme (*al-ḥathth ‘alā ‘l-amr bi’l-ma‘rūf*) in Muḥsin al-Fayḍ (d. 1091/1680), *Wāfi*, Tehran 1375, 9:28–30; by contrast, the other two chapters of his that concern us amount to only a page (*ibid.*, 30f.).

¹¹ I have noted Sunnī parallels in the following cases: (1) Kulaynī, *Kāfi*, 5:56 no. 3 = Ṭūsī, *Tahdhīb*, 6:176 no. 1: see above, ch. 3, note 19 (and cf. note 23). (2) Kulaynī, *Kāfi*, 5:57 no. 5 = Ṭūsī, *Tahdhīb*, 6:176 no. 3: cf. Ibn Waḍḍāḥ, *Bida‘*, 234 = 365 no. 82, and Muttaqī, *Kanz*, 3:81 nos. 5,583f. (3) Kulaynī, *Kāfi*, 5:58 no. 9 = Ṭūsī, *Tahdhīb*, 6:176 no. 4: see Abū Ya‘lā al-Mawṣilī (d. 307/919), *Musnad*, ed. Ḥ. S. Asad, Damascus and Beirut 1984–8, 12:229f. no. 6,839; Abū ‘l-Layth al-Samarqandī (d. 373/983), *Tanbih al-ghāfiṭin*, ed. ‘A. M. al-Wakīl, Jedda 1980, 97.12. (4) Kulaynī, *Kāfi*, 5:58f. no. 10 = Ṭūsī, *Tahdhīb*, 6:176f. no. 5: cf. Ibn Abī ‘l-Dunyā, *Amr*, 138 no. 109; Haythamī, *Zawā‘id*, 7:276.2; Muttaqī, *Kanz*, 3:67 no. 5,518; *ibid.*, 81 no. 5,585. (5) Kulaynī, *Kāfi*, 5:59 no. 14 = Ṭūsī, *Tahdhīb*, 6:177 no. 8 = Ḥimyarī (fl. later third/ninth century), *Qurb al-isnād*, Najaf 1950, 37.12: see above, ch. 3, note 38. (6) Kulaynī, *Kāfi*, 5:60 no. 1 = Ṭūsī, *Tahdhīb*, 6:178 no. 10: see above, ch. 3, note 62. (7) Kulaynī, *Kāfi*, 5:60 no. 2 = Ṭūsī, *Tahdhīb*, 6:178 no. 11: see Qurtubī, *Jāmi‘*, 4:48.8. (8) Kulaynī, *Kāfi*, 5:63f. nos. 4f. = Ṭūsī, *Tahdhīb*, 6:180 nos. 17f.: see above, ch. 3, note 53. (9) Kulaynī, *Kāfi*, 5:56 no. 2 = Ṭūsī, *Tahdhīb*, 6:180 no. 20: see above, ch. 3, note 36. (10) Kulaynī, *Kāfi*, 5:57f. no. 6: ‘Abd al-Ghanī, *Amr*, 42f. no. 54, and cf. 50 no. 66. (11) Ṭūsī, *Tahdhīb*, 6:181 no. 23: see above, ch. 3, note 28. As might be expected, much of the parallel Sunnī material is found with Kūfan *isnāds*.

¹² Taking the eleven instances given in the previous note, three are from the Prophet (quoted in each instance through Ja‘far al-Šādiq), two from ‘Alī, one from Muḥammad al-Bāqir, four from Ja‘far al-Šādiq, and one from ‘Alī al-Riḍā.¹³ But cf. below, note 21.

¹⁴ Kulaynī, *Kāfi*, 5:60 no. 2 = Ṭūsī, *Tahdhīb*, 6:178 no. 11; cf. above, note 11, item (7).

(Sunnī) Prophetic tradition on standing up to an unjust ruler,¹⁵ he explains it away as applying only where the ruler will accept the admonition.¹⁶ The believer, he affirms in a similar vein, should not court humiliation by exposing himself to an ordeal he cannot withstand.¹⁷ In the same way the occasional references to performance of the duty in the heart appear in material with Sunnī associations. Thus Jaʿfar al-Šādiq holds that it is enough that God should know a believer's disapproval from his heart,¹⁸ and Muḥammad al-Bāqir (d. c. 118/736) urges the faithful to perform the duty in their hearts, as well as verbally and physically.¹⁹ The only tradition that formally sets out the three modes (here heart, hand and tongue) is one placed in the mouth of ʿAlī without a chain of transmission.²⁰ A tradition of some doctrinal interest in this connection has ʿAlī identify the minimal form of disapprobation (*adnā ʿl-inkār*) as meeting offenders with 'frowning faces' (*wujūh mukfahirra*).²¹ This formulation would preclude any performance of the duty that was confined to the heart; yet even here, the 'frowning faces' are a theme familiar from Sunnī tradition.²²

Yaʿqūbī (d. 284/897f.) knows this as a saying of ʿAlī al-Riḍā (*Taʾrīkh*, ed. M. T. Houtsma, Leiden 1883, 2:551.12; I owe this reference to Michael Cooperson).

¹⁵ See above, ch. 1, note 18.

¹⁶ Kulaynī, *Kāfī*, 5:60.7 no. 16 = Tūsī, *Tahdhīb*, 6:178.6 no. 9; see also Ibn Bābawayh (d. 381/991f.), *Khiṣāl*, Najaf 1971, 6 no. 16; Majlisī, *Bihār*, 100:75 no. 19; and cf. below, note 36. (Such further references could be given for almost all the traditions discussed in this section, but will be supplied only for the more significant ones.) Cf. above, ch. 3, note 55.

¹⁷ Kulaynī, *Kāfī*, 5:63f. nos. 4f. = Tūsī, *Tahdhīb*, 6:180 nos. 17f.; cf. above, note 11, item (8).

¹⁸ Kulaynī, *Kāfī*, 5:60 no. 1 (the version in Tūsī, *Tahdhīb*, 6:178 no. 10 has *niyyatibi* for *qalbibi*); cf. above, note 11, item (6).

¹⁹ Kulaynī, *Kāfī*, 5:56.4 no. 1 = Tūsī, *Tahdhīb*, 6:181.5 no. 21. The activist tone and Sunnī linkage of this tradition will be discussed below, 256.

²⁰ Tūsī, *Tahdhīb*, 6:181 no. 23; cf. above, note 11, item (11). Cf. also Raḍī, *Nahj al-balāgha*, apud Ibn Abī ʿl-Hadīd, *Sharḥ*, 19:306.6. Several exhortatory traditions under consideration in this section have parallels in the *Nahj al-balāgha* which I have not otherwise indicated.

²¹ Tūsī, *Tahdhīb*, 6:176f. no. 5 (the version in Kulaynī, *Kāfī*, 5:58f. no. 10 is from the Prophet, and does not contain the phrase *adnā ʿl-inkār*). The *ismād* contains an apparently Sunnī transmitter from al-Šādiq, viz. Ismāʿīl ibn Abī Ziyād al-Sakūnī (see al-ʿAllāma al-Ḥillī (d. 726/1325), *Rijāl*, ed. M. Š. Bahr al-ʿUlūm, Najaf 1961, 199 no. 3, describing him as a Sunnī (*ʿammī*), and Barqī (d. 274/887f.) (attrib.), *Rijāl*, Tehran 1342 sh., 28.7, stating that he transmits from Sunnis (*ʿawāmm*); cf. also Ibn Ḥajar, *Tahdhīb*, 1:300.9, and 333f. no. 601). For a version in a Zaydī source with a Ḥasanid *ismād*, see al-Murshad Yaḥyā ibn al-Ḥusayn (d. 477/1084f.), *Amālī*, Cairo 1376, 2:230.29.

²² See above, note 11, item (4) (and cf. Ibn al-Murtaḍā, *Durar*, f. 246a.5, for a parallel in a Zaydī source). The social avoidance of offenders is also a theme in traditions from al-Šādiq. In one he accuses his followers of not cutting off social interaction with the offender (Tūsī, *Tahdhīb*, 6:181f. no. 24: *lā tahjurūnahu*). In another he is asked what to do if offenders within the community do not accept a rebuke; he replies that social relations with them should be cut off (*uhjurūbum wa-ʾjtanibū majālisahum*) (Kulaynī, *Kāfī*, 8:162 no. 169 (in the *Rawḍa*); Ḥurr al-ʿĀmilī, *Wasāʾil*, 6:1:415 no. 3; Majlisī, *Bihār*, 100:85f. no. 58; similarly Ḥurr al-ʿĀmilī, *Wasāʾil*, 6:1:415 no. 5, and Majlisī, *Bihār*, 100:88 no. 66, translated in Nagel, *Staat und Glaubensgemeinschaft*, 1:222).

In general there is not much activism to be found in this material, but there is one conspicuous exception: a long activist tradition from Muḥammad al-Bāqir.²³ In harsh rhetorical language, he foretells that in the last days (*fī ākhir al-zamān*)²⁴ there will be people who, despite their pious observances, do not consider forbidding wrong to be obligatory unless they are safe from harm (*idhā aminū ‘l-ḍarar*). They thereby brush aside the noblest of duties, for forbidding wrong is the way of the prophets and saints, and is fundamental to the moral and physical well-being of society. The faithful should therefore perform it in (or with) their hearts, speak out with their tongues, and strike the foreheads of the evil-doers. If the evil-doers comply, well and good; if not, the faithful should fight them (*jāhidūhum bi-abdānikum*) while hating them in their hearts.²⁵ Apart from its discordant activism, two things cast suspicion on the Imāmī credentials of this tradition. First, it is also known to the Zaydīs.²⁶ Secondly, the chain of transmission is unusual in that its key figure is Abū ‘Iṣma, judge of Marw.²⁷ This transmitter is no Imāmī: he can be identified as the Ḥanafī Murjī‘ite Nūḥ ibn Abī Maryam al-Marwazī (d. 173/789f.).²⁸ The rest of the chain of transmission, in both the Imāmī and Zaydī versions, is unhelpful.²⁹ But taken together, these points suggest that this violently activist tradition was not of Imāmī provenance.

Three traditions belonging to our core remain to be discussed. The first is the most interesting.³⁰ Here Ja‘far al-Šādiq is asked an explicitly doctrinal question: is forbidding wrong incumbent on the entire community (*al-*

²³ Kulaynī, *Kāfī*, 5:55f. no. 1 = Tūsī, *Tahdhīb*, 6:180f. no. 21; see also Fayḍ, *Wāfī*, 9:28.12; Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:394f. no. 6, 401f. no. 6, and 403f. no. 1.

²⁴ Such predictions are a familiar theme, see above, ch. 3, 39f.

²⁵ My summary omits much detail, including a final anecdote about the prophet Shu‘ayb which is paralleled in Sunnī sources (see for example Abū ‘l-Layth al-Samarqandī, *Tanbīh*, 96.8, and Ghazzālī, *Iḥyā’*, 2:285.10; in both the prophet is Joshua). Note the absence of any reference to the imam in the context of violence against offenders.

²⁶ See above, ch. 10, note 11. The text in this transmission is shorter and visibly corrupt; it contains neither of the references to the heart found in the Imāmī version.

²⁷ So Kulaynī and Tūsī. The Zaydī version has simply ‘Abū ‘Iṣma’.

²⁸ See van Ess, *Theologie*, 2:549–51, and Cook, ‘Van Ess’s second volume’, 27–33. A pupil of Abū Ḥanīfa, he had a bad reputation as a traditionist among the Sunnī experts. His identity is pointed out in a scholion to the tradition in Fayḍ, *Wāfī*, 9:28, right-hand margin; the scholiast concludes that the tradition is to be relied on for the soundness of its content rather than its *isnād*.

²⁹ As to the higher part of the *isnād*, in both versions Abū ‘Iṣma transmits from Jābir (sc. the Kūfān Jābir ibn Yazīd al-Ju‘fī (d. 128/745f.)) from Muḥammad al-Bāqir; the Zaydī *isnād* then continues through al-Bāqir’s forebears to ‘Alī. As to the lower *isnād*, the Imāmīs and Zaydīs have different transmitters from Abū ‘Iṣma; neither seems to be identifiable.

³⁰ Kulaynī, *Kāfī*, 5:59f. no. 16 = Tūsī, *Tahdhīb*, 6:177f. no. 9; see also Fayḍ, *Wāfī*, 9:30.27; Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:400 no. 1; Majlisī, *Bihār*, 100:93 nos. 92f.; al-Nūrī al-Ṭabarsī (d. 1320/1902), *Mustadrak al-Wasā’il*, Qumm 1407–8, 12:187f. no. 6. This tradition was selected by Bahā’ al-Dīn al-‘Āmilī (d. 1030/1621) as the twelfth in his collection of forty traditions (*Kitāb al-arba‘in*, Tabriz 1378, 103.8).

umma jamī'an)? He answers in the negative: it is incumbent on the strong who can expect obedience and know right from wrong (*al-qawī al-muṭā' al-ālim bi'l-ma'rūf min al-munkar*), not on the weak and ignorant; he then supports this answer with Koranic exegesis.³¹ He goes on to draw a significant practical conclusion: 'For one who knows this, there can be no objection if in this time of truce (*hudna*) [he does not forbid wrong] when he lacks strength, the power of numbers, and the prospect of being obeyed (*idhā kāna lā quwwa lahu wa-lā 'adad³² wa-lā ṭā'a*).'³³ Here, in this application of the idea of a truce between the Imāmīs and their (Sunnī) enemies, we have a very Imāmī notion.³⁴ Nevertheless the transmitter from Ja'far al-Šādiq is reported to have been a non-Imāmī.³⁵

The second tradition returns to the theme of confrontation with the unjust ruler. Here Ja'far al-Šādiq avers in quietist vein that there is no reward for one who comes to grief in such a venture.³⁶

The third tradition tells us what Ja'far al-Šādiq would do when he came upon a group of people engaged in a dispute (*yakhtaṣimūn*): before moving on, he would three times admonish them in a loud voice to fear God.³⁷ This

³¹ He cites Q3:104, interpreting this as restrictive (*khāṣṣ*) rather than general (*'amm*) in scope (cf. above, ch. 2, 17–20; note that Tūsī himself holds the contrary view, see above, ch. 2, note 17). This exegesis is then buttressed with a parallel (Q7:159), after which the term *umma* is defined. Thus the tone of the discussion is scholastic, despite the absence of the formal concept of a collective obligation (*farḍ 'alā 'l-kifāya*).

³² In Kulaynī's text this is corrupted to *'udhr*.

³³ The transmitter then appends al-Šādiq's quietist interpretation of the (Sunnī) tradition on standing up to an unjust ruler (see above, note 16).

³⁴ See Kohlberg, 'Development', 78, citing Majlisī's commentary to a tradition extolling *taqīyya* in which al-Šādiq states that 'people are in [a state of] truce (*hudna*)' (*Bihār*, 75:426 no. 84; the tradition itself is from Kulaynī, *Kāfī*, 2:217 no. 4). Note the surprising lack of invocations of *taqīyya* as an antidote to *al-amr bi'l-ma'rūf* in our tradition and others of quietist tendency.

³⁵ Mas'ada ibn Šadaqa is described as a Batrī Zaydī in one source (Kashshī, *Rijāl*, 390.5), and as a Sunnī (*'ammī*) in another (Tūsī, *Rijāl*, 137 no. 40). He is known to the Sunnī *rijāl* literature (see Ibn Hajar al-ʿAsqalānī (d. 852/1449), *Lisān al-Mizān*, Hyderabad 1329–31, 6:22f. no. 83; Ibn Hajar notes a case where he transmits a spurious tradition from al-Šādiq in the *Kanjarūdiyyāt*, an impeccably Sunnī source for which see Kattānī (d. 1345/1927), *al-Risāla al-mustatrafā*, Damascus 1964, 93.9).

³⁶ Kulaynī, *Kāfī*, 5:60f. no. 3 = Tūsī, *Tahdhīb*, 6:178 no. 12; see also Ibn Bābawayh (d. 381/991f.), *Iqāb al-a'māl*, ed. 'A. A. al-Ghaffārī with the *Thawāb al-a'māl*, Tehran 1391, 296.13; Fayḍ, *Wāfī*, 9:31.3; Ḥurr al-ʿĀmilī, *Wasā'il*, 6:1:401 no. 3; Majlisī, *Bihār*, 100:92 no. 88; Nūrī, *Mustadrak*, 12:187 no. 5. Ya'qūbī knows this saying as 'Alī al-Riḍā's (*Ta'rīkh*, 2:551.14; I owe this reference to Michael Cooperson). I have not seen Sunnī parallels to this formulation.

³⁷ Kulaynī, *Kāfī*, 5:59 no. 12 = *ibid.*, 61 no. 4 = Tūsī, *Tahdhīb*, 6:180 no. 19; see also Fayḍ, *Wāfī*, 9:31.10; Ḥurr al-ʿĀmilī, *Wasā'il*, 6:1:394 no. 3; Majlisī, *Bihār*, 100:92 no. 86; Nūrī, *Mustadrak*, 12:181 no. 16. Elsewhere al-Šādiq uses this rebuke against a man who is blocking the way, but gives up when it becomes clear that the man is injured to rebuke (Kulaynī, *Kāfī*, 5:61 no. 5; Fayḍ, *Wāfī*, 9:31.12; for the point of the tradition, see the latter part of the scholion in the left-hand margin, and the summary in Ḥurr al-ʿĀmilī, *Wasā'il*, 6:1:401 no. 4).

is, in effect, an answer to the question how long one should persist in reproving people who do not listen.³⁸ Again, the transmitter from Ja‘far al-Šādiq seems not to be an Imāmī.³⁹

If we widen our coverage of Imāmī tradition to include other early sources and, still more, the compilations of the Šafawid period, we encounter a good deal of further material; but it does not greatly affect the overall picture.

One feature of this material worth noting is that it provides further evidence of the penetration of Sunnī material into Imāmī tradition. Even the standard Sunnī ‘three modes’ tradition makes its appearance,⁴⁰ as does that of the ‘three qualities’.⁴¹ Likewise the term ‘put right’ (*ghayyara*), well established in Sunnī tradition and absent from the Imāmī traditions considered above,⁴² is quite common in this additional material, and that from an early date.⁴³ Most of these occurrences are ascribed to the

³⁸ Cf. above, ch. 5, 99.

³⁹ Ghiyāth ibn Ibrāhīm is described as a Batrī Zaydī (Ṭūsī, *Rijāl*, 132.6).

⁴⁰ See Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:407.4 no. 12; Majlisī, *Bihār*, 100:85.16 no. 57; Nūrī, *Mustadrak*, 12:192 no. 7. All are from the Prophet; the last is closest to the Sunnī wording, and is taken from Ibn Abī Jumhūr al-Aḥsā‘ī (fl. late ninth/fifteenth century), *‘Awālī al-la’ālī*, ed. M. al-‘Arāqī, Qumm 1983–5, 1:431 nos. 128f. A much earlier source in which the tradition is found is Ishāq ibn Wahb (writing after 334/946), *al-Burbān fī wujūh al-bayān*, 276.7; but despite the author’s clear Imāmī affiliation (cf. *ibid.*, 277.18), he quotes other well-known Sunnī traditions (*ibid.*, 276.17, 277.11). This work was drawn to my attention by Etan Kohlberg. For the Sunnī tradition, see above, ch. 3, section 1. The saying of ‘Alī regarding the decay of *al-amr bi’l-ma’rūf* (see above, ch. 10, note 8) also finds a parallel (Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:406 no. 10; Majlisī, *Bihār*, 100:89 no. 71; Nūrī, *Mustadrak*, 12:194 no. 4; and see also Raḍī, *Nahj al-balāgha*, apud Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:312.3). The notion of performance in the heart further appears in a Sunnī tradition quoted with a Sunnī *isnād* (Ṭūsī, *Amālī*, 2:88.9; Majlisī, *Bihār*, 100:77 no. 29; Nūrī, *Mustadrak*, 12:189f. no. 1; for Sunnī sources, see above, ch. 3, note 47).

⁴¹ See Ibn Bābawayh, *Khiṣāl*, 105 no. 79; Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:403 no. 10, and 419 no. 3; Majlisī, *Bihār*, 100:91 no. 79; Nūrī, *Mustadrak*, 12:187 no. 4 (all from al-Šādiq); *ibid.*, 189 no. 9 (from ‘Alī); Abū ‘l-Riḍā al-Rāwandī (sixth/twelfth century), *Nawādir*, Beirut 1988, 97.16; Ibn al-Ash‘ath (fl. first half of fourth/tenth century), *al-Ja‘fariyyāt aw al-Ash‘athiyyāt*, published with Ḥimyarī’s *Qurb al-isnād*, Tehran n.d., 88.11 (whence Nūrī, *Mustadrak*, 12:186 no. 1); Majlisī, *Bihār*, 100:87 no. 64 (all from the Prophet). For the Sunnīs, see above, ch. 3, note 59. For other traditions on the qualities needed to perform the duty, see Ja‘far al-Šādiq (d. 148/765) (attrib.), *Miṣbāḥ al-sharī‘a*, Beirut 1961, 81.7, 82.3.

⁴² There is one possible exception. The tradition from al-Šādiq stating that it is sufficient for the dignity (‘izz) of the believer who sees a wrong that God should know his disapprobation from his heart or his intention (see above, note 18) is found in a variant text with *ghiyaran* for ‘izzan. This is the text given in Majlisī’s commentary on Kulaynī’s *Kāfī* (Majlisī (d. 1110/1699), *Mir‘āt al-uqūl*, ed. H. al-Rasūlī et al., Tehran 1404–11, 18:407f. no. 1), and as he remarks (*ibid.*, 408.12), *ghiyar* here could be taken in the sense of *taghyir al-munkar* (see also Majlisī (d. 1110/1699), *Malādh al-akhbār*, ed. M. al-Rajā‘ī, Qumm 1406–7, 9:472.8). For this variant, see also Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:408f. no. 1 (from Kulaynī); ‘Alī ibn al-Ḥasan al-Ṭabrisī (fl. later sixth/twelfth century), *Mishkāt al-anwār*, Najaf 1965, 49.20, whence Majlisī, *Bihār*, 100:92 no. 85. The Sunnī versions offer no parallel at this point in the tradition.

⁴³ It appears in two variants of a tradition found in the collection of Ḥimyarī, who flourished in the later third/ninth century: (1) *Qurb al-isnād*, 37.17, from the Prophet with an Imāmī *isnād* through Mas‘ada ibn Šadaqa (for *yataghayyar* read *yughayyar*); see also Ḥurr

Prophet,⁴⁴ but we also find the usage in the mouths of ‘Alī⁴⁵ and Ja‘far al-Šādiq.⁴⁶

The rest of this material modifies the picture already given in places, but without substantially changing it. A touch of scholastic language appears in a letter from ‘Alī al-Riḍā (d. 203/818) to al-Ma‘mūn (r. 198–218/813–33) in which he states that the duty is incumbent when possible (*idhā amkana*) in the absence of fear for oneself.⁴⁷ Yet elsewhere ‘Alī al-Riḍā refuses to rebuke offenders who belong to his own household, citing a saying of his father’s that ‘counsel is harsh’ (*al-naṣiḥa khashina*).⁴⁸ Other traditions suggest a positive attitude towards confrontation with unjust rulers – in marked contrast to the negative views we encountered above.⁴⁹

al-‘Āmilī, *Wasā’il*, 6:1:407 no. 1 (second part); Majlisī, *Bihār*, 100:74f. no. 15 (from Ḥimyarī); *ibid.*, 78 no. 35; (2) Ḥimyarī, *Qurb al-isnād*, 38.1 (a variant with a similar *isnād*, but from ‘Alī); see also Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:407 no. 1 (first part); Majlisī, *Bihār*, 100:75 no. 16; *ibid.*, 78f. no. 36. This tradition is familiar from Sunnī sources (see above ch. 3, note 64). At the same time, the oldest Imāmī Koran commentaries contain the usage in a tradition cited by Muḥammad al-Bāqir from the *kitāb ‘Alī* telling the story of Q7:163–6 (Qummī, *Tafsīr*, 1:245.14; ‘Ayyāshī, *Tafsīr*, 2:34.9; see also Fayḍ, *Šāfi*, 2:248.12; Baḥrānī (d. 1107/1695f.), *al-Burhān fī tafsīr al-Qur‘ān*, Tehran 1375, 2:42.21, 43.34). For the term *kitāb ‘Alī*, see E. Kohlberg, ‘Authoritative scriptures in early Imāmī Shī‘ism’, in E. Patlagean and A. Le Boulluec (eds.), *Les retours aux écritures*, Louvain and Paris 1993, 300f.

⁴⁴ See the first variant adduced in the previous note; the ‘three modes’ tradition and the tradition with the Sunnī *isnād* cited above, note 40; a tradition using the term *ghiyār* (Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:410f. no. 8); and an unusual tradition regarding a white bird that reproves believers who have been remiss in performing the duty at home by crying *ghayyir! ghayyir!* (Ibn al-Ash‘ath, *Ja‘fariyyāt*, 89.5, whence Nūrī, *Mustadrak*, 12:200f. no. 3).

⁴⁵ See above, note 43.

⁴⁶ See above, note 42; also Ibn Bābawayh, *‘Iqāb al-a‘māl*, 310.18, whence Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:408 no. 3, and Majlisī, *Bihār*, 100:78 no. 34.

⁴⁷ See Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:402 no. 8, and Majlisī, *Bihār*, 100:77 no. 27, both from Ibn Bābawayh (d. 381/991f.), *‘Uyūn akhbār al-Riḍā*, Najaf 1970, 2:124.6 (the full text shows that the letter as we have it cannot in fact be earlier than 260/874, see *ibid.*, 121.2). The statement is also ascribed to al-Šādiq (Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:398f. no. 22).

⁴⁸ See *ibid.*, 402 no. 7, and Majlisī, *Bihār*, 100:76 no. 25, both from Ibn Bābawayh, *‘Uyūn akhbār al-Riḍā*, 1:226 no. 38.

⁴⁹ Thus Husayn ibn ‘Alī (d. 61/680) – or ‘Alī himself – describes *al-amr bi’l-ma‘rūf* as (among other things) ‘opposing tyrants’ (*mukhālafat al-ẓālim*) (see Fayḍ, *Wāfi*, 9:30.6, Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:403.6 no. 9, and Majlisī, *Bihār*, 100:79.15 no. 37, all from Ibn Shu‘ba (mid-fourth/tenth century), *Tuḥaf al-uqūl*, ed. ‘A. A. al-Ghaffārī, Tehran 1376, 237.12, translated in Nagel, *Staat und Glaubensgemeinschaft*, 2:271; this speech appears already in Ibn al-Iskāfi (third/ninth century), *al-Mi‘yār wa’l-muwāzana*, ed. M. B. al-Mahmūdī, Beirut 1981, 275.6; for the authorship of this work, assuming it to be correctly identified, see the editor’s note following the title-page). ‘Alī in one of his speeches describes speaking out in the presence of an unjust ruler (*kalimat ‘adl ‘inda imām jā’ir*) as the best form of *al-amr bi’l-ma‘rūf* (Raḍī, *Nahj al-balāgha*, apud Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:306.10, whence Majlisī, *Bihār*, 100:89 no. 70, translated in Nagel, *Staat und Glaubensgemeinschaft*, 1:221). Muḥammad al-Bāqir speaks of the reward that awaits someone who goes to an unjust ruler and commands him to fear God (al-Shaykh al-Mufīd (d. 413/1022) (attrib.), *Ikhtisāṣ*, ed. ‘A. A. al-Ghaffārī, Tehran 1379, 261.16, whence Nūrī, *Mustadrak*, 12:178 no. 5; Ḥurr al-‘Āmilī, *Wasā’il*, 6:1:406 no. 11). Nagel takes the view that such texts are older than the quietist material in Imāmī sources (*Staat und Glaubensgemeinschaft*, 1:222).

As might be expected, Ḥusayn ibn ‘Alī (d. 61/680) is a figure in whom forbidding wrong and righteous rebellion are associated; pilgrims to the tomb of the martyr are to testify that he commanded right and forbade wrong.⁵⁰

Finally, there are two traditions that bear on the relationship between forbidding wrong and the imamate. In one, al-Bāqir foretells that the world will not end until God sends a member of the family of the Prophet who will take action against all wrongs he encounters (*lā yarā munkaran illā ankarahu*).⁵¹ The implication is, perhaps, that wrongs will not be much righted in the meantime. The other tradition is placed in the mouth of the Prophet on the day of Ghadīr Khumm. He exhorts the faithful to perform the duty, and ends with the arresting statement that there can be no commanding right or forbidding wrong without the presence of an infallible imam (*illā ma‘a imām ma‘ṣūm*).⁵² In general, however, Imāmī tradition does little to relate forbidding wrong to the imamate.

Early Imāmī Koranic exegesis is a different matter. Here, as in Zaydism,⁵³ there is a strain of sectarian exegesis which construes certain Koranic verses on forbidding wrong as references to the imams.⁵⁴ This strain is already present in the oldest extant Imāmī Koran commentaries, themselves drawing on earlier traditions. Thus ‘Alī ibn Ibrāhīm al-Qummī (alive in 307/919) interprets Q9:111–12 to refer to the imams; his argument is along the lines

⁵⁰ Majlisī, *Bihār*, 101:163.21, 171.17, 172.18, 209.18, 230.2, 231.4, 267.3, 345.15, 360.8; Ibn Qūlawayh (d. 368/978), *Kāmil al-ziyārāt*, ed. ‘A. al-Amīnī al-Tabrizī, Najaf 1356, 203.9, 207.7, 208.14, 209.6, 210.4, 210.16, 213.3, 220.10, 229.12 (similar formulae are prescribed for pilgrims visiting the tombs of ‘Alī (*ibid.*, 43.8) and ‘Alī al-Riḍā (*ibid.*, 312.13)); several of these variants include reference to *jihād*. I am indebted to Etan Kohlberg for supplying me with one of these references and putting me on the track of the rest.

⁵¹ This tradition appears in two of our earliest sources: Himyarī’s *Qurb al-isnād* (where it is quoted by ‘Alī al-Riḍā in a letter to a follower, *ibid.*, 204.16); and the *aṣl* of Ja‘far ibn Muḥammad ibn Shurayh al-Ḥaḍramī (*apud* H. al-Muṣṭafawī (ed.), *al-Uṣūl al-sitta ‘ashar*, Qumm 1405, 63.4; on this *aṣl*, see E. Kohlberg, ‘*Al-uṣūl al-arba‘umi‘a*’, *Jerusalem Studies in Arabic and Islam*, 10 (1987), 145 no. 68, and 154 no. 5). I have not seen this tradition in the Imāmī books on the *ghayba*. Cf. also below, note 63.

⁵² Aḥmad ibn ‘Alī al-Tabrisī (fl. early sixth/twelfth century), *Ihtijāj*, Najaf 1966, 1:82.1, whence Nūrī, *Mustadrak*, 12:182.16 no. 20. The tradition is transmitted by al-Bāqir, with an apparently Imāmī *isnād*.

⁵³ Some of the Imāmī material discussed below is in fact of Zaydī origin (see below, notes 60, 63).

⁵⁴ I leave aside the story that Ja‘far al-Šādiq in an exchange with Abū Ḥanīfa identified the Koranic term *ma‘rūf* with ‘Alī, and *munkar* with his enemies, since though manifestly Shī‘ite it is not attested in old Imāmī sources (van Ess, *Theologie*, 2:389, citing Abū Ḥayyān al-Tawhīdī, *al-Baṣā‘ir wa’l-dhakhā‘ir*, 8:162 no. 561 (with a Ḥanafī parallel), and Majlisī, *Bihār*, 10:208f., no. 10 (ultimately from Kalbī (d. 146/763f.)); this story was first drawn to my attention by Nurit Tsafirī. But for a similar equation of *munkar* with the enemies of the imams, see *ibid.*, 24:303.8, likewise from al-Šādiq.

that those who command right (*ma'rūf*) are those who know all that is right, and only the imams answer to this description.⁵⁵ The same identification is reported by his contemporary 'Ayyāshī.⁵⁶ At Q3:110 these exegetes, or their sources, go beyond exegesis to emend the text itself: as originally revealed, they tell us, the verse read not 'the best community' (*khayra ummatin*) but 'the best imams' (*khayra a'immatin*); again the argument is clinched in Qummī's version by reference to forbidding wrong.⁵⁷ Already in 'Ayyāshī's commentary, however, other views are also reported.⁵⁸ This sectarian strain survives down the centuries in Imāmī exegesis alongside more conventional approaches;⁵⁹ it can be found in commentaries to Q3:104,⁶⁰ Q3:110,⁶¹

⁵⁵ Qummī, *Tafsīr*, 1:306.1. Qummī adds an anecdote in which 'Alī Zayn al-Ābidīn (d. 94/712) refers the verses to the imams (*ibid.*, 306.8).

⁵⁶ 'Ayyāshī, *Tafsīr*, 2:113 no. 142.

⁵⁷ Qummī, *Tafsīr*, 1:10.3, 110.1, both from Ja'far al-Šādiq; 'Ayyāshī, *Tafsīr*, 1:195 nos. 128f., again from al-Šādiq, who in the first tradition is reporting the reading of 'Alī. A version close to Qummī's appears in a short work of Sa'd ibn 'Abdallāh al-Qummī (d. 301/913f.) (see Majlisī, *Bihār*, 92:60.12). On all this see E. Kohlberg, 'Some notes on the Imāmīte attitude to the Qur'ān', in S. M. Stern *et al.* (eds.), *Islamic philosophy and the classical tradition: essays presented by his friends and pupils to Richard Walzer*, Oxford 1972, 211f., and M. M. Bar-Asher, 'Variant readings and additions of the Imāmī-Šī'a to the Quran', *Israel Oriental Studies*, 13 (1993), 42, 53 item 9.

⁵⁸ 'Ayyāshī gives a further tradition on Q3:110 (again from al-Šādiq) in which the canonical text is assumed (*Tafsīr*, 1:195 no. 130, noted in Bar-Asher, 'Variant readings', 53 n. 51).

⁵⁹ Cf. the material cited from Imāmī commentaries above, ch. 2.

⁶⁰ Qummī, *Tafsīr*, 1:108.21 (with an exegesis of Muḥammad al-Bāqir's referring the verse to the family of Muḥammad and those who follow them); Ṭabrisī, *Majma'*, 1:484.1 (reporting al-Šādiq's reading *a'imma* for *umma* both here and in Q3:110); Fayḍ, *Šāfi*, 1:339.11 (quoting Qummī). Both reports reappear in the commentary of Baḥrānī (*Burhān*, 1:308.12, 307.29, respectively), and see also Sharaf al-Dīn al-Astarābādī (tenth/sixteenth century), *Ta'wīl al-āyāt al-ẓāhira*, Qumm 1407, 1:118f. no. 33 (with Astarābādī's endorsement, *ibid.*, 119.2), and Majlisī, *Bihār*, 24:153f. nos. 4f. Qummī's report derives from the commentary of Abū 'l-Jārūd (first half of the second/eighth century), the eponym of the Jārūdiyya (cf. above, ch. 10, note 152) – in other words, from a Zaydī source (on this work see W. Madelung, 'The Shi'ite and Khārijite contribution to pre-Ash'arite *kalām*', in P. Morewedge (ed.), *Islamic philosophical theology*, Albany 1979, 136 n. 51).

⁶¹ Abū 'l-Futūḥ-i Rāzī, *Rawḍ*, 3:148.19 (reporting that in their exegeses the *ahl al-bayt* refer this verse to themselves and the infallible imams); *ibid.*, 150.9 (similarly referring the verse to the imams); Miqdād, *Kanz*, 1:406.14 (on referring the verse to the infallible imams); Abū 'l-Maḥāsīn al-Jurjānī, *Jilā' al-adhbhān*, 2:102.13 (derivative from Rāzī's first passage); Astarābādī, *Ta'wīl*, 1:121.9 (referring the verse to the infallible imam, and going on to quote from Qummī); Kāshānī, *Manhaj*, 2:300.13 (echoing both of Rāzī's passages); Fayḍ, *Šāfi*, 1:342.17 (quoting Qummī and 'Ayyāshī), and cf. *ibid.*, 343.4; Baḥrānī, *Burhān*, 1:308.30 (quoting Qummī); Baḥrānī *Burhān*, Tehran 1295–1302, 1:190.26 (quoting 'Ayyāshī; the modern edition as available to me is defective at this point); Majlisī, *Bihār*, 24:153–5 nos. 1f., 5f., 12 (with the reading *a'immatin*); *ibid.*, nos. 1f., 8, 10–12 (referring the verse to the family of the Prophet and the like); Aḥmad al-Jazā'irī (d. 1151/1738f.), *Qalā'id al-durar*, Najaf 1382–3, 2:205.9, 206.13 (referring the verse to Muḥammad, 'Alī and the imams, and citing Qummī and others). Cf. also above, ch. 2, note 25.

Q9:112⁶² and Q22:41.⁶³ Its status, however, seems to be somewhat marginal, and its near-absence from the commentary of Abū Ja‘far al-Ṭūsī (d. 460/1067) is perhaps a testimony to its lack or loss of mainstream respectability.⁶⁴

To sum up, there is no scarcity of material on forbidding wrong in early Imāmī literature, and what it offers is by no means identical with what we find in Sunnī sources for the same period. Yet it soon becomes evident that forbidding wrong was not the locus of a strong and distinctive development in Imāmī thought – in contrast, for example, to precautionary dissimulation (*taqiyya*). Much of the material is merely exhortatory, and much of it echoes – and most probably derives from – the Sunnī heritage. It is true that early Imāmī Koranic exegesis links forbidding wrong to the imamate in a manner not paralleled in Sunnī exegesis; but this linkage is one we have already encountered in Zaydism. Here and there we can see Imāmī quietism at work in the traditions, but the message is by no means consistent.

3. THE CLASSICAL IMĀMĪ SCHOLARS

In this section I shall consider the views of the Imāmī scholars of the period from the fourth/tenth to the early eighth/fourteenth century – from Ibn Bābawayh (d. 381/991f.) to the ‘Allāma (d. 726/1325). I shall bring together works of law, theology and Koranic commentary. It will be simplest to analyse the material in terms of a small number of recurrent topics.

⁶² Tabrisī, *Majma‘*, 3:76.8 (probably from Qummī); Astarābādī, *Ta’wīl*, 1:211.6 (citing Tabrisī); Fayḍ, *Ṣāfi*, 2:381.23 (citing Qummī); Baḥrānī, *Burhān*, 2:167.3 (citing ‘Ayyāshī).

⁶³ Qummī, *Tafsīr*, 2:85.2 (simply referring the verse to the imams); Tabrisī, *Majma‘*, 4:88.19 (quoting Muḥammad al-Bāqir saying: ‘We’re them, by God!’); Fayḍ, *Ṣāfi*, 3:382.2 (quoting from Qummī a report (not found in his work as we have it) offering an eschatological exegesis of Muḥammad al-Bāqir which refers the verse to the family of Muḥammad, the Mahdī and his companions; and cf. *ibid.*, 382.7). Baḥrānī gives the second of these as taken from the commentary of Abū ‘l-Jārūd (*Burhān*, 3:96.16). Following Astarābādī, he also gives four traditions from the imams to the same effect from a work of Muḥammad ibn al-‘Abbās (Astarābādī, *Ta’wīl*, 1:342–4 nos. 22–5; Baḥrānī, *Burhān*, 3:95.20; here the fourth tradition is a variant of the same tradition from Abū ‘l-Jārūd). The work in question is the *Ta’wīl mā nazala . . . fī ‘l-nabī wa-‘ālihi* of Muḥammad ibn ‘Abbās known as Ibn al-Juhām (alive in 328/939f.) (see Kohlberg, *Ibn Tawūs*, 369–71 no. 623). See also Majlisī, *Bihār*, 24:164–7 nos. 6–8, 10f. (including three of Ibn al-Juhām’s traditions); Furāt ibn Ibrāhīm al-Kūfī (fl. later third/ninth century), *Tafsīr*, Najaf n.d., 98.3, 99.4 (both quoting al-Bāqir, the second eschatological), 100.10 (from Zayd ibn ‘Alī (d. 122/740), on the Qā’im of the family of Muḥammad).

⁶⁴ Ṭūsī strongly hints that Q3:110 refers to the imam(s) (*Tibyān*, 2:558.14, followed by Rāwandī (d. 573/1177f.), *Fiḥ al-Qur‘ān*, ed. A. al-Ḥusaynī, Qumm 1397–9, 1:360.19), but quotes none of the traditions found in the other commentaries.

Of the six that I will discuss in detail, the first two show the Imāmīs departing significantly from the Baṣran Muʿtazilite tradition with which the last two chapters have familiarised us. Then follow three cases in which they adhere to this tradition in more or less the same manner as the Zaydīs. With regard to the final topic, the conditions of obligation, the Imāmī record combines overall adherence with a telling divergence on one particular point.

1. *The three modes*

The first noteworthy feature of the accounts of forbidding wrong given by the Imāmī scholars of this period is the prominence of the doctrine of the ‘three modes’. As we have seen, this schema was known to Imāmī tradition, but it had not been particularly salient there.

Ibn Bābawayh (d. 381/991f.), in the oldest account we possess,⁶⁵ states that a man must take a stand against wrong (‘*alā ʿl-ʿabd an yunkir al-munkar*’) with his heart, his tongue and his hand (*bi-qalbihi wa-lisānibi wa-yadihi*); (if he cannot do this, then with his heart and his tongue);⁶⁶ if he cannot do this, then with his heart (*fā-in lam yaqdir fa-bi-qalbihi*). Further accounts of this kind, in which the modes are presented in the same de-escalating sequence, are to be found in works of al-Shaykh al-Mufīd (d. 413/1022),⁶⁷ Sallār (d. 448/1056),⁶⁸ Ṭūsī (d. 460/1067),⁶⁹ Ibn al-Barrāj

⁶⁵ Ibn Bābawayh (d. 381/991f.), *Hidāya*, printed with his *Muqniʿ*, Qumm and Tehran 1377, 11.7; the passage is translated (with an omission) in McDermott, *Mufīd*, 316 n. 4. Unfortunately, this seems to be the only surviving account of the duty by Ibn Bābawayh. In a concise description of the Imāmī faith he lists *al-amr biʿl-maʿrūf*, but without expanding further (*Amālī*, Tehran 1404, 652.13).

⁶⁶ The passage enclosed in parentheses is not in the text of the *Hidāya* as we have it; but it appears in a citation from the *Hidāya* given by Majlisī (*Biḥār*, 100:71 no. 2, where we also find *yughayyir* for *yunkir*).

⁶⁷ Mufīd, *Muqniʿa*, 809.8. In another work, Mufīd speaks of performance with the tongue and hand, but makes no mention of the heart (*Awāʿil al-maqālāt*, Tabriz 1371, 98.4, translated in McDermott, *Mufīd*, 279).

⁶⁸ Sallār (d. 448/1056), *Marāsim*, ed. M. al-Bustānī, Beirut 1980, 260.7, speaking of *thalāthat aḍrub*. He adds a somewhat obscure statement about escalation (*ibid.*, 260.9). Sallār was a pupil of Mufīd and Murtaḍā (ʿAbdallāh Afandī al-Iṣbahānī (d. 1130/1717f.), *Riyāḍ al-ʿulamāʾ*, ed. A. al-Husaynī, Qumm 1401, 2:438.2).

⁶⁹ The account given by Ṭūsī in his *Nihāya* is dominated by the ‘three modes’, referred to as *al-anwāʿ al-thalāthā* (Ṭūsī (d. 460/1067), *Nihāya*, Beirut 1970, 299.10). The presentation of the de-escalatory sequence is complicated by Ṭūsī’s choice to deal separately with *al-amr biʿl-maʿrūf* (*ibid.*, 299.16) and *al-nahy ʿan al-munkar* (*ibid.*, 300.9). In his *Jumal* he likewise refers to the ‘three modes’ (here *thalāthat aqsām*, *al-Jumal waʿl-ʿuḡūd*, ed. M. W. Khurāsānī, Mashhad 1347 sh., 161.3). He does not cover *al-amr biʿl-maʿrūf* in his *Mabsūṭ*. An impression of his discussion of it in his *Nihāya* can be obtained from the translation in A. K. S. Lambton, *State and government in medieval Islam*, Oxford 1981, 243f.

(d. 481/1088),⁷⁰ and Ibn Abī ‘l-Majd (sixth/twelfth century?).⁷¹ Ibn Ḥamza (alive in 566/1171), followed by Yaḥyā ibn Sa‘īd (d. 689/1290), presents the matter differently: one starts with the tongue; if this does not work, one escalates to violence; if one is unable to do any of this, one confines one’s performance to the heart.⁷² With the Muḥaqqiq (d. 676/1277) the original sequence has been reversed: one first tries with the heart;⁷³ if one knows that this will not work, one moves to the tongue; failing that, one has recourse to the hand.⁷⁴ The ‘Allāma follows the Muḥaqqiq in adopting this escalatory sequence.⁷⁵

This difference of presentation is analysed by the ‘Allāma in one of his works.⁷⁶ He remarks that he does not see much to argue about, and that the dispute should be seen as verbal rather than substantive.⁷⁷ There is no doubt something to be said for this. The de-escalatory sequence makes sense as a statement that one does as much as one can. The escalatory sequence, by contrast, makes sense as a statement that one does no more than is necessary.⁷⁸ Any sensible view will implicitly or explicitly combine these points: one does as much as is necessary and possible.

⁷⁰ Ibn al-Barrāj (d. 481/1088), *Muḥadhdhab*, Qumm 1406, 1:341.3 (in an account that clearly follows Ṭūsī’s *Nihāya*). The sequence is de-escalatory, though not fully spelled out. Ibn al-Barrāj was a pupil of Ṭūsī and his deputy (*khalīfa*) in Syria (‘Abdallāh Afandī, *Riyāḍ*, 3:141.6, 142.5).

⁷¹ Ibn Abī ‘l-Majd (sixth/twelfth century?), *Ishārat al-sabq*, ed. I. Bahādūrī, Qumm 1414, 146.9. For *bi’l-lisān* at 146.12 we must surely read *bi’l-qalb*; as it stands, the text identifies performance with the tongue as the irreducible minimum.

⁷² Ibn Ḥamza al-Ṭūsī (alive in 566/1171), *Wasīla*, ed. M. al-Ḥassūn, Qumm 1408, 207.9; Yaḥyā ibn Sa‘īd (d. 689/1290), *al-Jāmi‘ lil-sharā’i‘*, apud *Silsilat al-yanābi‘ al-fiqhiyya*, Beirut 1990, vol. 9: *al-Jibād*, 239.15. ⁷³ For what this means, see below, note 81.

⁷⁴ See al-Muḥaqqiq al-Hillī (d. 676/1277), *Sharā’i‘ al-Islām*, ed. ‘A. M. ‘Alī, Najaf 1969, 1:343.2, and similarly his *al-Mukhtaṣar al-nāfi‘*, Tehran 1387, 139.9. He speaks of three *marātib*.

⁷⁵ See al-‘Allāma al-Hillī (d. 726/1325), *Tabṣirat al-muta‘allimīn*, apud Ṣādiq al-Shīrāzī, *Sharḥ Tabṣirat al-muta‘allimīn*, Qumm 1406, 1:299.3; and his *Tahrīr al-aḥkām*, n.p. 1314, 1:157.31; *Irsbād al-adhbān*, ed. F. al-Ḥassūn, Qumm 1410, 1:352.15; *Qawā‘id al-aḥkām*, Qumm 1413–, 1:525.2; *Tadhbīrat al-fuqahā’*, n.p. n.d., 1:458.38; *Muntabā ‘l-maṭlab*, n.p. 1333, 993.24. He uses the term *marātib* in the accounts of the *Tahrīr*, *Tadhbīra*, and *Muntabā*.

⁷⁶ See al-‘Allāma al-Hillī (d. 726/1325), *Mukhtalaf al-Shi‘a*, Qumm 1412–, 4:474.10 (using the term *martaba* for ‘mode’). He reports the views of Ibn Ḥamza and Sallār correctly, but surprisingly he ascribes Ibn Ḥamza’s position also to Ṭūsī; the Muḥaqqiq’s view (and his own in his other works) is adduced anonymously.

⁷⁷ *Ibid.*, 474.16 (*al-tahqīq anna ‘l-nizā‘ lafẓī*). The analysis that he then gives is not, however, entirely cogent, since he has to interpret Sallār’s view in terms of the notion that performing *al-amr bi’l-ma‘rūf* with the hand means setting a good example; this, as we shall see, is a view put forward by Ṭūsī and his pupil Ibn al-Barrāj (see below, note 83), but not by Sallār.

⁷⁸ Escalation was, of course, a familiar concept, and one that did not need to be expressed in terms of the ‘three modes’ (see Murtaḍā, *Dhakhira*, 559.18; Abū ‘l-Ṣalāḥ al-Ḥalabī (d. 447/1055), *al-Kāfi fī ‘l-fiqh*, ed. R. Ustādī, Iṣfahān 1403, 267.7; Ṭūsī, *Iqtisād*, 150.3; Ṭūsī, *Tamhīd al-uṣūl*, 305.15; Ṭūsī, *Tibyān*, 2:549.17 (to Q3:104); *ibid.*, 566.2 (to Q3:114), whence Rāwandī, *Fiqh al-Qur’ān*, 1:362.16 (also to Q3:114); *ibid.*, 359.1 (to Q3:110), borrowed from Zamakhsharī, *Kashshāf*, 1:398.1 (to Q3:104)).

Within this framework, there are two variations that are really matters of classification. First, it is not obvious where such responses as avoiding or turning away from the offender belong in the three-mode schema. Ṭūsī, the oldest source to confront the problem, describes avoidance as ‘a kind of action’ (*ḍarb min al-fiʿl*), and is followed by Ibn al-Barrāj.⁷⁹ Ibn Ḥamza, again followed by Yahyā ibn Saʿīd, sees such responses as actions taking the place of verbal rebukes.⁸⁰ The Muḥaqqiq, by contrast, regards them as performance with the heart,⁸¹ and he is followed in this by the ‘Allāma.⁸² The second variation is Ṭūsī’s view (loyally followed by his pupil Ibn al-Barrāj) that in the case of commanding right (as opposed to forbidding wrong), performance with the hand means setting a good example for others.⁸³

Yet there are other accounts that ignore the entire schema of the ‘three modes’. This is the case with Murtaḍā (d. 436/1044)⁸⁴ and Abū ʿl-Ṣalāḥ (d. 447/1055f.),⁸⁵ and with certain works of Ṭūsī.⁸⁶ Ibn Idrīs (d. 598/

⁷⁹ Ṭūsī, *Nihāya*, 300.14; Ibn al-Barrāj, *Muhadhdhab*, 1:341.20.

⁸⁰ Ibn Ḥamza, *Wasīla*, 207.10 (*rubhamā yaqūmu ʿl-fiʿl fī dhālika maqām al-qawl*); Yahyā ibn Saʿīd, *Jāmiʿ*, 239.17.

⁸¹ Muḥaqqiq, *Sharāʾiʿ*, 1:343.5, and cf. his *Mukhtaṣar*, 139.11. He indicates that there are degrees in such responses: *izhār al-karāha* is less drastic than *iʿrāḍ* and *hajr*. For Mufid and Ṭūsī, by contrast, performance in the heart is clearly no more than an unobservable mental act (see Mufid, *Muqniʿa*, 809.12, 810.3, implying that this mode is not affected by external constraints; Ṭūsī, *Nihāya*, 300.2, speaking of ‘belief in the obligation of *al-amr biʿl-maʿrūf* in the heart’; and see also Abū ʿl-Ṣalāḥ, *Kāfi*, 265.3, and Ibn al-Barrāj, *Muhadhdhab*, 1:341.8).

⁸² ‘Allāma, *Tahrir*, 1:157.31; and his *Irshād*, 1:352.15; *Qawāʿid*, 1:525.2; *Tadhkira*, 1:458.39; *Muntabā*, 993.24 (where the root *hjr* is misspelled *hjr*); and cf. his *Mukhtalaf*, 4:475.5. The ‘Allāma recognises that performance in the heart may also be an unobservable mental act (*Qawāʿid*, 1:525.2; and cf. his *Mukhtalaf*, 4:475.3).

⁸³ Ṭūsī, *Nihāya*, 299.16 (the usual view also appears, *ibid.*, 300.4); Ibn al-Barrāj, *Muhadhdhab*, 1:341.9. The idea finds an echo in Yahyā ibn Saʿīd (*Jāmiʿ*, 239.18), and the ‘Allāma has ingenious though inappropriate recourse to it in his *Mukhtalaf* (4:475.7), but essentially it died with Ṭūsī and his immediate school.

⁸⁴ This is true not just for the brief accounts in his *Jumal* and *Muqaddima*, but also for the elaborate discussion in his *Dhakhira* (Murtaḍā (d. 436/1044), *Jumal al-ʿilm waʿl-ʿamal*, ed. A. al-Ḥusaynī, Najaf 1387, 39.12; *Muqaddima fi ʿl-uṣūl al-ʿiṭiqādiyya*, in M. Ḥ. Āl Yāsīn (ed.), *Nafāʾis al-makhtūṭāt*, Najaf and Baghdad 1952–6, 2:82.5; *Dhakhira*, 553–60).

⁸⁵ This despite the fact that Abū ʿl-Ṣalāḥ’s *Kāfi* gives a reasonably detailed account of the duty. He was a pupil of Murtaḍā and Ṭūsī (ʿAbdallāh Afandī, *Riʾāḍ*, 5:464.17).

⁸⁶ There is no trace of the ‘three modes’ in his *Iqtiṣād* or *Tamhid* (in both of which he seems to be following the presentation of Murtaḍā’s *Dhakhira*); nor is the schema in evidence in the accounts of school doctrine found in his *Tibyan*. However, his cross-reference to his *Sharḥ Jumal al-ʿilm* (sc. his *Tamhid*) at *Tibyan*, 2:549.15 (to Q3:104) is replaced in the commentary of Abū ʿl-Futūḥ-i Rāzī with an account of the ‘three modes’ (*siḥ martaba*, with the usual de-escalatory sequence) (*Rawḍ*, 3:141.12). Note also Ṭūsī’s statement that *inkār* ‘with the hand’ is to be done only against one who commits a ‘bodily’ offence (*min maʿāṣi ʿl-jawāriḥ*) or rebels against a legitimate imam (*Tibyan*, 2:566.7 (to Q3:114), whence Rāwandī, *Fiḥḥ al-Qurʾān*, 1:363.2). There is likewise no mention of the ‘three modes’ in Ḥimmaṣī’s account (*Munqidh*, 2:209–21).

1202) makes no systematic use of it.⁸⁷ Even Mufīd in one of his works makes no reference to performance in the heart.⁸⁸

What is the origin of the ‘three modes’ doctrine as adopted by the Imāmī scholars? A Mu‘tazilite origin can be excluded: the doctrine is not at home there, and in any case it is already attested for Ibn Bābawayh, an Imāmī traditionalist. This helps to explain the absence of the schema from the doctrine of Murtaḍā and derivative sources. But equally, the doctrine is hardly to be seen as a direct inheritance from Imāmī tradition, since as we have seen, it is only weakly attested there.⁸⁹ The likelihood is thus that the source of the doctrine is Sunnī traditionalism, where the notion is prominent thanks to its embodiment in the standard Sunnī Prophetic tradition on forbidding wrong.⁹⁰ The Imāmī reception of the doctrine presumably took place in the interval between the formation of Imāmī tradition and the lifetime of Ibn Bābawayh. This adoption no doubt owed something to the simple elegance of the schema and the lack of any principle of comparable systematising power in Imāmī tradition. But it also illustrates the fact that the Imāmī assimilation of Mu‘tazilism was less thorough-going than that of the Zaydīs.

2. *The imam’s permission*

A second noteworthy element in the accounts of the Imāmī scholars is the doctrine that when forbidding wrong involves violence, or some level of violence, the permission of the imam or of someone appointed by him is required.⁹¹ This point is often presented within the framework of the ‘three modes’, and we can therefore consider it here.

Most authorities espouse this doctrine in some form, even when recognising the existence of a contrary view. It may take the form that permission

⁸⁷ He does, however, interpolate references to performance ‘with the hand’ into the passage he quotes from Ṭūsī’s *Iqtisād* (Ibn Idrīs (d. 598/1202), *Sarā’ir*, Qumm 1410–11, 2:23.8; cf. Ṭūsī, *Iqtisād*, 150.3); and references to tongue and heart are found in a passage he quotes at *Sarā’ir*, 2:24.2 from Ṭūsī’s *Nihāya*, 300.14. ⁸⁸ See above, note 67.

⁸⁹ See above, notes 20, 40. The tradition that Ibn Bābawayh adduces in the *Hidāya* makes no reference to the ‘three modes’ (*Hidāya*, 11.10; for this tradition, see above, note 14). One of the two traditions quoted by Mufīd sets out the ‘three modes’ (*Muqni’a*, 808.14); it is the saying of ‘Alī noted above, note 20. This latter tradition is also quoted by the ‘Allāma (*Muntabā*, 993.32), who is more given to quoting traditions than any previous Imāmī jurist since Mufīd.

⁹⁰ On the Sunnī side, too, the apparently temporal ordering of the modes in this tradition (hand, then tongue, then heart) eventually came to be seen as problematic (see ‘Alī al-Qārī, *Mubīn*, 191.3, and Ismā‘īl Ḥaqqī Brūsevī, *Sharḥ*, 338.1; ‘Alī al-Qārī remarks that to his knowledge he is the first to deal with the problem).

⁹¹ See Ḥ. Mudarrisī Ṭabāṭabā‘ī, *Zamīn dar fiqh-i Islāmī*, Tehran 1362 sh., 1:112, with references to numerous sources.

is needed where killing or wounding is involved; so Mufid in one of his works,⁹² Sallār,⁹³ the Muḥaqqiq,⁹⁴ and the ‘Allāma in one of his works.⁹⁵ Elsewhere, however, we may find suggestions of a lower or higher threshold: thus Mufid in another of his works,⁹⁶ Ṭūsī in one of his works,⁹⁷ and Ibn al-Barrāj⁹⁸ seem to extend the requirement to all forms of violence, whereas Ibn Ḥamza appears to restrict it to killing.⁹⁹ These authors also use

⁹² Mufid, *Muqni’a*, 809.15 (*wa-laysa labu ’l-qatl wa’l-jirāh illā bi-idhn sultān al-zamān al-manṣūb li-tadbīr al-anām*); a few lines below he speaks of ‘shedding blood’ (*safk al-dimā’*, *ibid.*, 810.1).

⁹³ Sallār, *Marāsim*, 260.16 (restricting such action to the *sultān* or someone acting under his orders). Of his teachers, he here follows Mufid rather than Murtaḍā.

⁹⁴ Muḥaqqiq, *Sharā’i*, 1:343.11 (stating that the view requiring *idhn al-imām* is the more widely accepted (*al-aḥḥar*)); Muḥaqqiq, *Mukhtaṣar*, 139.14 (requiring the permission of the imam or of his appointee).

⁹⁵ ‘Allāma, *Tabṣira*, 1:300.1 (requiring *idhn al-imām* for wounding); cf. his *Irshād*, 1:353.1 (where he gives this as an opinion, though without mentioning an alternative).

⁹⁶ Mufid, *Awā’il al-maḡālāt*, 98.6 (making *baṣṭ al-yad* subject to appointment or permission on the part of the *sultān*; for *wa-lan yajūz taghayyur hādihā ’l-sharṭ al-madhbūr*, read *wa-lā yajūz bi-ghayr hādihā ’l-sharṭ al-madhbūr*). This passage is translated in McDermott, *Mufid*, 279; he identifies the *sultān* as ‘the *de facto* holder of power’, but see below, note 108.

⁹⁷ In his *Nihāya*, Ṭūsī makes it clear that, at least in the case of *inkār al-munkar*, even blows require permission (*ibid.*, 300.9; for *al-amr bi’l-ma’rūf*, see *ibid.*, 300.4). The imam is referred to as *sultān al-waqt al-manṣūb lil-riyāsa*, or simply as *al-sultān* (cf. below, note 108). Ṭūsī does not however limit performance in the absence of permission to the heart, as indicated in A. A. Sachedina, *The just ruler (al-sultān al-‘ādil) in Shī’ite Islam*, New York and Oxford 1988, 145. In parallel passages in his *Iqtisād* (150.9) and *Tamhīd* (305.20), Ṭūsī states that the dominant Imāmī view (*al-zāhir min madhhab/madhābīb shuyūkhinā al-Imāmiyya*) is that this kind of performance of the duty (the context leaves it unclear exactly what is intended) is for the imams or for someone who has their permission (the *Tamhīd* adds the invocation ‘*alayhim al-salām*, which may or may not be from Ṭūsī himself). In his *Tibyān*, Ṭūsī states that ‘most of our companions’ believe that this kind of performance of the duty (in the context, armed conflict) needs the permission of the *sultān al-waqt*, whereas ‘those who disagree with us’ hold otherwise (*Tibyān*, 2:549.20 (to Q3:104), and see *ibid.*, 566.4 (to Q3:114)). Puzzlingly, Ibn Idrīs states that in his *Tibyān* (though not in his *Iqtisād* and *Nihāya*) Ṭūsī firmly espoused Murtaḍā’s view (*Sarā’ir*, 2:23.18, whence ‘Allāma, *Mukhtalaf*, 4:475.17; ‘Allāma, *Tahrīr*, 1:158.1; Madelung, ‘*Amr bi ma’rūf*’, 995b; Sachedina, *Just ruler*, 145). Yet the text of the *Tibyān* as we have it is clearly old: parallel passages with a wording identical to Ṭūsī’s are already found in a work of the sixth/twelfth century (Rāwandī, *Fiqh al-Qur’ān*, 1:358.4, 362.17), and the sense is likewise reproduced in the Persian of Abū ’l-Futūḥ-i Rāzī (*Rawḍ*, 3:141.14 (to Q3:104), speaking of the need for *dastūr-i imām*). The stipulation of the need for the imam’s permission does have a distinctly intrusive look in both the passages of the *Tibyān* in which we find it; but this can readily be understood as a result of its insertion by Ṭūsī himself into material taken from Mu’tazilite sources that made no mention of it. Thus Ṭūsī’s first pronouncement on the issue follows a statement enjoining recourse to arms where necessary; this latter is taken from Rummānī (d. 384/994), who makes no reference to the imam’s permission (compare Ṭūsī, *Tibyān*, 2:549.16 with Rummānī, *Tafsīr*, f. 62a.9, both to Q3:104).

⁹⁸ Ibn al-Barrāj, *Mubadhdhab*, 1:341.12 (speaking of *al-imām al-‘ādil*, or one appointed by him). Again, he is following Ṭūsī’s *Nihāya*.

⁹⁹ Ibn Ḥamza, *Wasīla*, 207.12. He requires permission from the appropriate authority (*man labu dhālika*) for action involving *talaf* (or for any kind of *ta’dīb*).

a variety of terms to refer to the imam;¹⁰⁰ some allow for permission being granted by an appointee of his, while others do not mention this. But despite the variations, there is no indication of explicit disagreement within this camp.¹⁰¹

A few authorities, however, reject the whole requirement.¹⁰² Murtaḍā does so quite explicitly,¹⁰³ and he is followed by Ibn Idrīs,¹⁰⁴ and by the ‘Allāma in most of his works.¹⁰⁵ Yaḥyā ibn Sa‘īd is in the same camp.¹⁰⁶

Finally, there are authors who do not mention the issue at all. This is the case with Ibn Bābawayh, Abū ‘l-Ṣalāḥ and Ibn Abī ‘l-Majd. This is not

¹⁰⁰ These terms are given in the preceding notes.

¹⁰¹ It is thus unclear to me how far Madelung is right to single out certain scholars (he names the Muḥaqqiq and the ‘Allāma) as holding ‘an intermediate position’ (‘Amr be ma‘rūf’, 995b).

¹⁰² Sachedina takes the view that there is a consensus among the Imāmī scholars on the issue (see his *Just ruler*, 142, 144f.). However, if this had been so, the ‘Allāma would not have needed to discuss the question in his *Mukhtalaf* (see below, note 105). Sachedina’s view may be based on the interpretations noted below, notes 103, 105.

¹⁰³ Murtaḍā, *Dhakhira*, 560.4. He says that some have held that performance involving injury (*al-iḍrār wa’l-ilām*) can only be carried out as punishment (‘*uqūbatan*’), and that this can only be inflicted by the imams (*al-a‘imma*) or at their command. He then argues that this is wrong, because such punishment is deliberate – in contrast to injury inflicted in the course of *al-amr bi’l-ma‘rūf*, which is an unintended consequence. This argument is quoted by Tūsī (see especially *Iqtisād*, 150.11, whence later sources); he proceeds to refute it. A different understanding of the argument as quoted by Tūsī seems to lie behind Sachedina’s view that Murtaḍā requires the imam’s permission (*Just ruler*, 145).

¹⁰⁴ Ibn Idrīs, *Sarā’ir*, 2:23.18 (*huwa ‘l-aqwā wa-bibi uftī*). Ibn Idrīs has just quoted views of Tūsī and Murtaḍā. Himmāṣī, whose account of the issue mixes material from Tūsī’s *Tamhīd* and the school of Abū ‘l-Ḥusayn (see above, ch. 9, notes 130, 134), espouses the rejection of the requirement in accordance with the views of both Murtaḍā and the school of Abū ‘l-Ḥusayn (*Munqidh*, 2:210.5–211.2).

¹⁰⁵ ‘Allāma, *Tahrīr*, 1:157.34 (setting out the rival views), 158.1 (endorsing the view that permission is not needed as the stronger (*al-aqwā*)); similarly his *Muntahā*, 993.34, 994.1. In his *Mukhtalaf* he gives an account of the disagreement among the Imāmī scholars on the issue based on the analysis of Ibn Idrīs, to which he adds the views of Sallār and Ibn al-Barrāj, and the silence of Abū ‘l-Ṣalāḥ (*ibid.*, 4:475.10). He himself again endorses the view of Murtaḍā (*ibid.*, 476.3). In support of this view, the ‘Allāma adduces the following arguments: the unrestricted scope (‘*umūm*’) of the duty; two Imāmī traditions (including the long activist one) which do not speak of permission, and are presumably read by him as indications that it is not required; the point that the duty is obligatory for the good order of the world (*li-maṣlaḥat al-‘ālam*), and so like other goods is not dependent on any condition (read *fa-lā yaqīfān ‘alā sharḥ ka-ghayrihimā min al-maṣāliḥ*); and finally the fact that it is obligatory for the imam and the Prophet, and is therefore obligatory for us in the same way, since they are our mandatory role models (*li-wujūb al-ta’assī*). Those who take the other view, he adds, have argued from the sanctity of life (*wujūb ‘iṣmat al-nufūs*) and the prohibition of shedding blood (*tahrim al-iqdām ‘alā irāqat al-dimā*). The occurrence of the word ‘*isma*’ in this passage may be behind Sachedina’s view that some Imāmī scholars hold infallibility to be necessary for the use of force in *al-amr bi’l-ma‘rūf* (*Just ruler*, 101, 144f.). In two other works, the ‘Allāma merely notes the existence of divergent views on the issue (*Tadhkira*, 1:458.43; *Qawā‘id*, 1:525.6).

¹⁰⁶ Yaḥyā ibn Sa‘īd, *Jāmi‘*, 239.16, stating the view that such permission is unnecessary to be the more sound (*aṣaḥḥ*).

necessarily significant: some authors mention the issue in one work but not in another.¹⁰⁷

It is not difficult to see why such a doctrine would find favour with the Imāmī scholars. Since the imam was by their time in occultation, and had no designated representative among the community, such a requirement would mean that violence (or the specified level of violence) could not be employed in forbidding wrong until such time as the imam returned.¹⁰⁸ The doctrine can thus be seen as of a piece with the quietist tendency that characterises Imāmism in this period.¹⁰⁹

What this leaves is the question where the doctrine comes from. It has no significant basis in Imāmī tradition,¹¹⁰ and it is in line with this that it makes no appearance in Ibn Bābawayh's account of the duty. Instead, it is first encountered in a work of Mufid – promptly to be rejected by Murtaḍā. Mufid was a Baghdādī Mu'tazilite, whereas Murtaḍā was aligned with the ultimately more successful Baṣran school.¹¹¹ Could we then have to do with a piece of Baghdādī Mu'tazilite doctrine? A quotation from the Baghdādī Abū 'l-Qāsim al-Balkhī (d. 319/931) given by Ṭūsī in his Koran commentary runs as follows:¹¹² 'Other people [i.e. people other than the ruler] may only do this [i.e. have recourse to arms in the course of forbidding wrong] when there is no imam, nor anyone appointed by him; when there is one, no one should do this except under conditions of necessity.' The first part of this view was formally irrelevant to the Imāmī situation: it was a matter of faith that there was an imam, whether he was present or

¹⁰⁷ Thus Murtaḍā does not mention it in his *Jumal* or *Muqaddima*, and Ṭūsī omits it in his *Jumal*.

¹⁰⁸ That the various terms employed by the scholars (see above, notes 92–9) refer to the imam seems clear from such equivalences as that in Ṭūsī's discussion of the execution of the *ḥadd* punishments between *sulṭān al-zamān al-manṣūb min qibal Allāh* and *al-imām* (*Nihāya*, 300.19). There has been some dispute as to whether the Imāmī jurists did or did not use some of these terms to refer to a just ruler who was not the imam (see N. Calder, 'Legitimacy and accommodation in Safavid Iran: the juristic theory of Muḥammad Bāqir al-Sabzavārī (d. 1090/1679)', *Iran*, 25 (1987), 91f., 104 nn. 21f., with discussion of other views, including that of Madelung; above, note 96; also Sachedina, *Just ruler*, 103, and, in the context of *al-amr bi'l-ma'rūf*, S. A. Arjomand, *The shadow of God and the hidden Imam*, Chicago and London 1984, 62). Calder takes the rather isolated view that in the usage of the jurists these terms refer only to the imam; on the basis of the limited body of texts considered here, I would tend to agree with him.

¹⁰⁹ McDermott aptly characterises Mufid's doctrine of *al-amr bi'l-ma'rūf* as expressed in his *Awā'il al-maqālāt* as 'mild' (*Mufid*, 279).

¹¹⁰ See above, note 52, for the rather marginal tradition that is the only exception known to me. ¹¹¹ McDermott, *Mufid*, 4f., 396.

¹¹² Ṭūsī, *Tibyān*, 2:549.22 (to Q3:104) (cf. above, ch. 9, note 23), whence Abū 'l-Futūḥ-i Rāzī, *Rawḍ*, 3:141.16. Rāzī's rendering includes the phrase *bī dastūr-i-i imām*; this may be his own addition, or it may represent a reference to the permission of the imam which has dropped out of our text of the *Tibyān*. Note that Balkhī's view seems not to have been the only one among the Baghdādī Mu'tazilites (see above, ch. 9, note 39, on Rummānī).

not. It is the second part that may represent the source of the Imāmī doctrine.¹¹³ Baṣran Mu‘tazilite doctrine, by contrast, goes no further than the view that in such a context it is better to have recourse to the imam, if there is one.¹¹⁴ Supposing that Baghdādī Mu‘tazilism was indeed the source of the doctrine, the next question would be whether it was imported into Imāmism by Mufīd himself, or had already been received at an earlier stage.¹¹⁵ Hostile sources frequently say that the Imāmīs (or Rāfiḍīs) denied that forbidding wrong could be performed in the absence of their imam;¹¹⁶ we can take such claims to be polemical misstatements of the doctrine of the imam’s permission. For what it is worth, none of these testimonies seems to be old enough to indicate that the doctrine antedated Mufīd.

3. Reason and revelation

A third element, which is likely to belong to the Baṣran Mu‘tazilite heritage, is the discussion of the basis of the obligation: is it founded in both reason and revelation, or in revelation alone?¹¹⁷ For the Baghdādī view of

¹¹³ This may help to explain the difficulty we encounter when we ask whether the jurists are referring to an absent imam or to a present usurper. The language they are using would derive from a tradition that was concerned with an imam who, if he existed at all, was present.

¹¹⁴ See above, ch. 9, notes 99, 148. The passage in Zamakhsharī’s Koran commentary (*Kashshāf*, 1:398.5) is taken up by Rāwandī (*Fiqh al-Qur’ān*, 1:359.7).

¹¹⁵ It is unfortunate that we have no information as to the views of the fourth/tenth-century jurists (and theologians) Ibn Abī ‘Aqīl and Ibn al-Junayd on *al-amr bi’l-ma‘rūf* (for these scholars, see H. Modarressi Tabātabā’i, *An introduction to Shī‘i law*, London 1984, 35–9). Their contemporary Iṣḥāq ibn Wahb in one passage discusses performance of the duty with the tongue, whip and sword, the latter to be used against various armed malefactors (*muḡātilūn*, *bughāt*, *māriqūn*), with no mention of the imam’s permission (*Burhān*, 276.2). However, this author is too literary in his interests, and too prone to use Sunnī materials (see above, note 40), for his silence to be significant. In another passage he discusses the ways in which the common people (*ra‘iyya*) may get above themselves and need to be curbed by the ruler and his vizier; one such case is when they undertake *al-amr bi’l-ma‘rūf* without having received the permission of their ruler (*sulṭān*) to do so (*ibid.*, 422.8). The whole discussion in this passage is, however, political rather than juridical in character.

¹¹⁶ This has been noted by Madelung (‘Amr be ma‘rūf’, 995a). For relatively early authors making such allegations, see Mānkḍīm, *Ta’līq*, 148.1, 741.6; Māwardī (d. 450/1058), *Adab al-dunyā wa’l-dīn*, ed. M. al-Saqqa, Cairo 1973, 102.21 (in the context of wrongdoing by a group, without naming the sect); Muwaffaq al-Shajarī, *Iḥāta*, f. 137a.17 (speaking of *al-amr bi’l-ma‘rūf* by deed, with mention of the *shar‘ al-imām*; and cf. *ibid.*, f. 136b.21); Ibn Ḥazm, *Fiṣal*, 4:171.12; Abū Ya‘lā, *Mu‘tamad*, 194 §350; Juwaynī, *Irshād*, 368.5; Jishumī, *Uyūn*, f. 66a.4, and *Sharḥ*, f. 265a.10; Farrazādhī, *Ta’līq*, f. 154b.14; Ghazzālī, *Iḥyā*, 2:288.27. Jishumī also offers a more graphic formulation: ‘The Rāfiḍa hold that it is not obligatory until the *qā’im* comes forth’ (*Sharḥ*, f. 264b.7). Cf. above, ch. 9, notes 63, 96–8.

¹¹⁷ See Madelung, ‘Amr be ma‘rūf’, 995a; also Sachedina, *Just ruler*, 143f. No one, of course, is suggesting that the duty is founded in reason alone.

the matter we have only the position of Rummānī (d. 384/994), who inclined to the rationalist side.¹¹⁸ The standard Baṣran position seems to have been that the duty is known only by revelation, except in cases reducible to self-interest.¹¹⁹ There was, however, excellent precedent for the view that the duty is known by reason as well as revelation, for such had been the doctrine of Abū ‘Alī (d. 303/916), in contrast to his son Abū Hāshim (d. 321/933); and at a later date Abū ‘l-Ḥusayn al-Baṣrī (d. 436/1044) is said to have inclined to this view.¹²⁰ Confronted with this divergence, the Imāmī scholars tended to opt for the standard view.¹²¹ It appears first in works of Murtaḍā;¹²² he is followed by Abū ‘l-Ṣalāḥ,¹²³ Ṭūsī both in his doctrinal works¹²⁴ and in his Koran commentary,¹²⁵ Ibn Abī ‘l-Majd,¹²⁶ Ibn Idrīs,¹²⁷ Naṣīr al-Dīn al-Ṭūsī (672/1274),¹²⁸ and the ‘Allāma

¹¹⁸ See above, ch. 9, note 37. ¹¹⁹ See above, ch. 9, 206.

¹²⁰ See above, ch. 9, note 25 for Abū ‘Alī, and note 65 for Abū ‘l-Ḥusayn.

¹²¹ Several of them, however, do not explicitly raise the issue: Mufid, Ṣallār, Ibn al-Barrāj, Ibn Ḥamza and the Muḥaqqiq. (I am not sure on what basis Madelung states that the Muḥaqqiq held the revelationist view, see his ‘Amr be ma’rūf’, 995a.) Zihdāzī (or Zihdārī) (early eighth/fourteenth century) in his commentary on the *Sharā‘i*‘ merely notes the fact of the dispute, and refers the reader to the science of *kalām* (*Īdāḥ tarad-dudāt al-Sharā‘i*‘, ed. M. al-Rajā‘ī, Qumm 1408, 1:263.6; for this work, see Modarressi, *Introduction*, 67).

¹²² Murtaḍā, *Jumal*, 39.15; Murtaḍā, *Dhakhīra*, 553.8. In the latter Murtaḍā devotes a couple of pages to the issue, stating and refuting arguments for a rational basis. As usual I make no attempt to analyse such arguments, but two of them should be noted for reference below: the argument (in favour of a rational basis) that the duty is *lutf* (*ibid.*, 553.15, refuted *ibid.*, 555.6); and the argument (against such a basis) that, if rational, the duty would be incumbent on God, with intolerable consequences (*ibid.*, 554.1, 554.5). For the first, cf. Mānkdim, *Ta’līq*, 742.16; for the second, *ibid.*, 742.12.

¹²³ Abū ‘l-Ṣalāḥ, *Kāfī*, 264.9. The two arguments just noted for Murtaḍā reappear in this presentation.

¹²⁴ Ṭūsī, *Iqtisād*, 146.15 (stating that this is the view of the majority of *mutakallimūn* and *fuqahā*‘, and endorsing it as correct); Ṭūsī, *Tambīd*, 301.5 (again clearly stating his preference for the view). Madelung’s statement of Ṭūsī’s position (‘Amr be ma’rūf’, 995a) is thus to be modified. In the *Tambīd*, Ṭūsī goes on to reproduce Murtaḍā’s account of the arguments for and against the rationalist view, though not accepting all of it (*ibid.*, 301.11; he mentions his source as the *Dhakhīra*, *ibid.*, 302.13). In the *Iqtisād*, he makes a general statement that he has found no good arguments for the rationalist position, but refers to his *Sharḥ al-Jumal* (i.e. the *Tambīd*) for the details (*Iqtisād*, 147.2).

¹²⁵ Ṭūsī, *Tibyān*, 2:549.11 (to Q3:104), 565.16 (to Q3:114), 5:299.19 (to Q9:71). What Ṭūsī says is repeated by Abū ‘l-Futūḥ-i Rāzī (*Rawḍ*, 3:141.9 (to Q3:104)), Ṭabrisī (*Majma*‘, 1:484.4 (to Q3:104)), and Rāwandī (*Fiḥ al-Qur’ān*, 1:357.14 (to Q22:41, but taken from Ṭūsī’s commentary to Q3:104), 362.10 (to Q3:114)). The formulations that appear here differ from those found in the *kalām* works of Ṭūsī and others, and may represent a different tradition. ¹²⁶ Ibn Abī ‘l-Majd, *Ishāra*, 146.3.

¹²⁷ Ibn Idrīs, *Sarā‘ir*, 2:21.15. Here again, Ibn Idrīs takes over Ṭūsī’s account from the *Iqtisād*; he rearranges it a bit, inserts statements of his own view and of Murtaḍā’s, and draws attention to Ṭūsī’s second thoughts.

¹²⁸ Naṣīr al-Dīn al-Ṭūsī (d. 672/1274), *Tajrīd al-i’tiqād*, *apud* al-‘Allāma al-Ḥillī (d. 726/1325), *Kashf al-murād*, Beirut 1979, 455.2.

in some of his works.¹²⁹ Yet two of these scholars also pronounce in favour of the view that the duty has a basis in reason: Ṭūsī¹³⁰ and the ‘Allāma.¹³¹ The range of opinion thus perpetuates that already established in Baṣran Mu‘tazilism.

4. *The doctrine of divisibility*

A fourth element, which possesses a certain diagnostic interest, can be labelled the doctrine of divisibility. According to this doctrine in its standard form, right can be divided into the obligatory and the supererogatory, with the corollary that it is obligatory to command obligatory right, and supererogatory to command supererogatory right; wrong, by contrast, cannot be divided in such a way, so that it is obligatory to forbid all wrong without distinction. This doctrine first appears in Imāmī sources with Murtaḍā, who never fails to make these points.¹³² He is followed in this by Ṭūsī,¹³³ Ibn al-Barrāj,¹³⁴ Ibn Abī ‘l-Majd,¹³⁵ Abū ‘l-Futūḥ-i Rāzī (first half of the sixth/twelfth century),¹³⁶ Rāwandī (d. 573/1177f.),¹³⁷ Ibn Idrīs,¹³⁸ Naṣīr al-Dīn al-Ṭūsī,¹³⁹ the Muḥaqqiq,¹⁴⁰

¹²⁹ In two of them he clearly pronounces the revelationist view the stronger (*aqwā*) (‘Allāma, *Tahrir*, 1:527.24; *Muntabā*, 992.37), and he is still more uncompromising in his *Nahj al-mustarshidīn* (apud Miqdād al-Suyūrī (d. 826/1423), *Irshād al-ṭālibīn*, ed. M. al-Rajā‘ī, Qumm 1405, 380.13). In another the text is most easily read to imply the same view (‘Allāma, *Tahdkira*, 1:458.25). Madelung’s statement of the ‘Allāma’s position (‘Amr be ma‘rūf’, 995a) is thus to be modified.

¹³⁰ Ṭūsī, *Iqtisād*, 147.9; Ṭūsī, *Tamhīd*, 302.14. Ṭūsī here develops the *lutf* argument, drawing from the contrary an unacceptable consequence; he presents this as his strong opinion (*yaqwā fī nafsi*). Ḥimmaṣī, without offering a clear statement of his own view, seems to side with Ṭūsī here (*Munqidh*, 2:213.17).

¹³¹ ‘Allāma, *Qawā’id*, 1:524.3 (declaring the rationalist view the stronger); ‘Allāma, *Tabṣira*, 1:298.2 (stating only the rationalist view); ‘Allāma, *Mukhtalaf*, 4:471.3 (pronouncing Ṭūsī’s second thoughts more plausible (*al-aqrab*)). In the *Mukhtalaf*, as in other works such as the *Tahdkira* and the *Muntabā*, the ‘Allāma explicates Murtaḍā’s argument (stated in a form that has little in common with that found in the *Dhakhira*) that, if based on reason, the duty would bind God; in the *Mukhtalaf* he then goes on to indicate that he does not find this argument persuasive (*fihī naṣar*), and to adduce the argument from *lutf* in favour of ‘our’ position (*ibid.*, 4:472.3; cf. also his *Ajwibat al-masā’il al-Muhannā’iyya*, Qumm 1401, 166.7). Another version of this explication appears in the commentary on the *Qawā’id* written by the ‘Allāma’s son (Fakhr al-Muḥaqqiqīn (d. 771/1370), *Idāh al-fawā’id*, n.p. 1387–9, 1:397.22); he also confirms that his father held the rationalist view, with which he himself disagrees (*ibid.*, 398.15).

¹³² Murtaḍā, *Dhakhira*, 553.4; Murtaḍā, *Jumal*, 39.12; Murtaḍā, *Muqaddima*, 82.6 (this last in a three-line account of the duty).

¹³³ Ṭūsī, *Iqtisād*, 148.4; Ṭūsī, *Jumal*, 160.8; Ṭūsī, *Tamhīd*, 301.7; Ṭūsī, *Tibyān*, 2:549.3; likewise Ḥimmaṣī, *Munqidh*, 2:209.9. ¹³⁴ Ibn al-Barrāj, *Muhadhdhab*, 1:340.12.

¹³⁵ Ibn Abī ‘l-Majd, *Ishāra*, 146.13. ¹³⁶ Abū ‘l-Futūḥ-i Rāzī, *Rawḍ*, 3:141.3.

¹³⁷ Rāwandī, *Fiqh al-Qur’ān*, 1:356.16.

¹³⁸ Ibn Idrīs, *Sarā’ir*, 2:22.19. This passage, like most of his account, is lifted from Ṭūsī’s *Iqtisād*. ¹³⁹ Naṣīr al-Dīn al-Ṭūsī, *Tajrid*, apud ‘Allāma, *Kashf*, 455.2.

¹⁴⁰ Muḥaqqiq, *Sharā’i‘*, 1:341.12; also his *Mukhtaṣar*, 1:139.3.

and the ‘Allāma.¹⁴¹ A few scholars subscribe to the division of right, but not to the indivisibility of wrong. Thus Ibn Ḥamza divides wrong in the same way as right,¹⁴² while Abū ‘l-Ṣalāḥ advances an equivalent distinction without recourse to the term ‘wrong’.¹⁴³ Sallār divides right, but does not discuss the question whether wrong is divisible.¹⁴⁴ We can be confident that the standard view is a piece of Baṣran Mu‘tazilite doctrine. The mainstream Imāmī view does not appear before Murtaḍā, and is identical with that set out by Mānkḍīm (d. 425/1034) and others;¹⁴⁵ Mānkḍīm also tells us explicitly that the distinction between the two kinds of right was an innovation of the Baṣran scholar Abū ‘Alī al-Jubbā‘ī (d. 303/916).¹⁴⁶

5. *Individual or collective?*

A fifth element is the discussion of the question whether the duty is an individual or a collective obligation.¹⁴⁷ This is another area in which it is likely that much of what the Imāmī scholars have to say derives from the Baṣran Mu‘tazilite tradition, though this cannot be proved. The issue is, of course, widely discussed among the Islamic sects and schools, the usual conclusion being that the duty is collective: once somebody undertakes it, others cease to be obligated. This is likewise the mainstream Mu‘tazilite view.¹⁴⁸ But in

¹⁴¹ ‘Allāma, *Irshād*, 1:352.12; ‘Allāma, *Nahj al-mustarshidīn*, apud Miqdād, *Irshād*, 380.12; ‘Allāma, *Qawā‘id*, 1:524.7; ‘Allāma, *Tabṣira*, 1:299.1; ‘Allāma, *Tadḥkīra*, 1:458.15; ‘Allāma, *Tahrīr*, 1:157.15; ‘Allāma, *Muntahā*, 992.2. In his *Mukhtalaṭ* (4:474.1), the ‘Allāma adduces the views of Ṭūsī (for the indivisibility of wrong) and Ibn Ḥamza (for its divisibility), and pronounces in favour of Ṭūsī’s view on the ground that wrong is evil by definition. He is clearly aware of the desire for symmetry that motivates the contrary view; in this connection he finds Abū ‘l-Ṣalāḥ’s formulation particularly neat (see below, note 143).

¹⁴² He says that to forbid a wrong (*munkar*) which is forbidden (*maḥṣūr*) is obligatory, while to forbid one that is only disapproved (*makrūh*) is merely recommended (*mandūb*) (Ibn Ḥamza, *Wasīla*, 207.7). For what may be a contemporary Zaydī parallel, see ‘A. M. Zayd, *Tayyārāt Mu‘tazilat al-Yaman fī ‘l-qarn al-sādis al-hijrī*, Ṣan‘ā’ 1997, 294.12, reporting the view of Sulaymān al-Muḥallī from manuscript (this work was drawn to my attention by Bernard Haykel). This author was a Muṭarrifi (see *EP*², art. ‘Muṭarrifiyya’ (W. Madelung), with further references).

¹⁴³ He says that it is obligatory to forbid what is evil (*qabuḥa*), but merely commendable (*mandūb*) to forbid what is only disapproved (*karuḥa*) (Abū ‘l-Ṣalāḥ, *Kāfi*, 264.2). Similarly Yahyā ibn Sa‘īd states that forbidding what it would be better (*awla*) to abstain from is supererogatory (Yahyā ibn Sa‘īd, *Jāmi‘*, 239.13). Compare the account of the issue given by the Zaydī Mu‘tazilite Muḥallī (d. 652/1254f.), in the course of which he observes that one may ‘forbid’ (though not in the literal sense) something that is not actually wrong (*munkar*), such as eating with the left hand (‘*Umda*, 291.20).

¹⁴⁴ Sallār, *Marāsim*, 260.5.

¹⁴⁵ See above, ch. 9, 213f.; also Muwaffāq, *Iḥāṭa*, f. 136a.21, and Muḥallī, ‘*Umda*, 291.17.

¹⁴⁶ See above, ch. 9, notes 26f.

¹⁴⁷ For a brief account of the Imāmī positions on the question against the wider background, see Madelung, ‘Amr be ma‘rūf’, 995a.

¹⁴⁸ For Baghdādī Mu‘tazilism, see above, ch. 9, note 38, on Rummānī. For Baṣran Mu‘tazilism, see above, ch. 9, 216; also ch. 10, note 109 (for later Zaydī authorities). For the link between this doctrinal question and the interpretation of Q3:104, see above, ch. 2, note 19.

Mu‘tazilism, as elsewhere, the individual view found occasional adherents. One of them, it seems, was none less than Abū ‘Alī.¹⁴⁹

Among the Imāmī scholars, as might be expected, the mainstream view that the duty is collective was well represented. It is adopted by both Mufīd,¹⁵⁰ representing the Baghdādī Mu‘tazilite tradition, and Murtaḍā,¹⁵¹ representing the Baṣran, and accordingly it does not lack followers: Abū ‘l-Šalāh,¹⁵² Ibn Idrīs,¹⁵³ Yaḥyā ibn Sa‘īd,¹⁵⁴ and, with relative single-mindedness, the ‘Allāma.¹⁵⁵ Ṭūsī, however, went against the mainstream by consistently favouring the individual view.¹⁵⁶ His prestige ensured this view a considerable popularity among subsequent scholars. It was adopted by Ibn Abī ‘l-Majd,¹⁵⁷ Ibn Ḥamza,¹⁵⁸ the Muḥaqqiq,¹⁵⁹ Zihdāzī,¹⁶⁰ and those who followed in the wake of Ṭūsī’s Koran commentary,¹⁶¹ Ibn al-Barrāj devised a compromise position according to which the duty was sometimes collective and sometimes individual.¹⁶² Ibn Idrīs, an ever-ready critic of Ṭūsī, would seem to have been the first to break with his view.

What evidence is there to link either position as found in the Imāmī sources with Baṣran Mu‘tazilism? In the case of the individual view, there is none: we have Ṭūsī’s argument for his position,¹⁶³ but no non-Imāmī

¹⁴⁹ See above, ch. 2, note 17, and ch. 9, note 33. ¹⁵⁰ Mufīd, *Awā’il al-maḡālāt*, 98.4.

¹⁵¹ Murtaḍā, *Dhakhīra*, 560.10. ¹⁵² Abū ‘l-Šalāh, *Kāfi*, 267.3.

¹⁵³ Ibn Idrīs, *Sarā’ir*, 2:22.17 (stating the collective position to be the more prevalent (*al-azhar*) among ‘our companions’).

¹⁵⁴ Yaḥyā ibn Sa‘īd, *Jāmi‘*, 239.10 (with mention of the contrary view, *ibid.*, 239.19).

¹⁵⁵ In six of his works he comes down squarely on the collective side of the fence (‘Allāma, *Mukhtalaḥ*, 4:473.9; ‘Allāma, *Muntahā*, 993.10; ‘Allāma, *Nahj al-mustarshidin*, *apud* Miqdād, *Irshād*, 381.10; ‘Allāma, *Qawā’id*, 1:524.3; ‘Allāma, *Tabṣira*, 1:298.2; ‘Allāma, *Tahṣir*, 1:157.25). In three works he does not seem to offer a clear-cut opinion (*Irshād*, 1:352.12; *Ajwiba*, 171f. no. 22; *Tadhkira*, 1:458.31).

¹⁵⁶ Ṭūsī, *Iqtisād*, 147.15, and cf. 151.1; Ṭūsī, *Jumal*, 160.7; Ṭūsī, *Nihāya*, 299.9; Ṭūsī, *Tambhid*, 301.4, and cf. 301.23, 306.3; Ṭūsī, *Tibyān*, 2:549.10 (to Q3:104), 5:300.1 (to Q9:71). Himmaṣī explicitly endorses Ṭūsī’s view (*Munqidh*, 2:220.13).

¹⁵⁷ Ibn Abī ‘l-Majd, *Isbāra*, 146.3. ¹⁵⁸ Ibn Ḥamza, *Wasila*, 207.2.

¹⁵⁹ Muḥaqqiq, *Mukhtaṣar*, 139.2; Muḥaqqiq, *Sharā’i‘*, 1:341.9 (both endorsing the individual view as more in accord with basic principles (*asbāb*)).

¹⁶⁰ Zihdāzī, *Īdāh*, 1:263.5 (endorsing it as stronger (*aqwā*)).

¹⁶¹ Abū ‘l-Futūḥ-i Rāzī, *Rawḍ*, 3:140.20, 141.8 (to Q3:104); Rāwandī, *Fiḥ al-Qur’ān*, 1:357.4 (to Q3:104), and cf. 358.14 (in the commentary to Q3:110). Tabriṣī does not commit himself to Ṭūsī’s view in his commentary to Q3:104 as we have it (*Majma‘*, 1:483.23, 484.3), but he follows Ṭūsī to Q9:71 (*ibid.*, 3:50.7).

¹⁶² Ibn al-Barrāj, *Mubaddihah*, 1:340.3. His view is cited by the ‘Allāma (*Mukhtalaḥ*, 4:473.12), and anonymously by Rāwandī (*Fiḥ al-Qur’ān*, 1:357.5). Roughly, he says that the duty is collective in a case in which someone performs the duty successfully, with the result that others cease to be obligated; but it is tied to individuals in a case in which someone tries but fails, and no other individual acting alone discharges it, with the result that it becomes an individual duty obligating everyone equally – until such time as the object is achieved. Cf. the view of the Ḥanbalite Ibn Ḥamdān (d. 695/1295) (see above, ch. 6, note 122).

¹⁶³ Viz. the generality (‘*umūm*) of the relevant Koranic verses and traditions (Ṭūsī, *Iqtisād*,

Mu'tazilite material to compare it with. In the case of the collective view we are better served. There is a much-repeated utilitarian argument for this position which recurs in various wordings. According to this argument, the object of the duty is to get results – to bring it about that the right thing happens and the wrong thing does not. If someone undertakes the duty successfully, the object is thereby attained; consequently, it makes no sense for others to continue to be obligated. This argument is advanced in a number of Imāmī sources¹⁶⁴ and reported in others.¹⁶⁵ It is also attested for non-Imāmī Baṣran Mu'tazilism, in the accounts of Mānkdīm and others;¹⁶⁶ thus despite the lack of an adequate Baghdādī Mu'tazilite control, it is a reasonable hypothesis that we have here a piece of Baṣran argumentation adopted by the Imāmīs.¹⁶⁷

The significance of the disagreement is not immediately obvious from these texts.¹⁶⁸ On the one hand, those who consider the duty a collective one concede that in some circumstances it becomes individual.¹⁶⁹ In this way, the 'Allāma argues, the collective view is no different from the compromise put forward by Ibn al-Barrāj.¹⁷⁰ And on the other hand, the individualists are not denying that the obligation ceases when someone else has successfully performed it. The defining characteristic of an individual duty is that one's obligation does not lapse merely because someone else undertakes it,¹⁷¹ and Ṭūsī explicitly subscribes to this.¹⁷² But once the duty has been performed successfully, there is no longer a wrong to right, and hence

147.16; Ṭūsī, *Tamhīd*, 301.5). In the *Iqtisād*, Ṭūsī goes on to give his Koranic proof-texts (Q3:104, Q3:110, Q31:17), but remarks that the innumerable traditions would take too long to quote. In his accounts of Ṭūsī's argument, the 'Allāma generously supplies the traditions (see particularly *Mukhtalaf*, 4:472.14); but it seems quite likely that he chose them himself.

¹⁶⁴ Murtaḍā, *Dhakhīra*, 560.12; Abū 'l-Ṣalāḥ, *Kāfī*, 267.3; 'Allāma, *Muntahā*, 993.10; cf. also the reworking of the idea in Ibn al-Barrāj, *Muhaddhdhab*, 1:340.3. In the version of Murtaḍā and in the parallel in Ibn al-Barrāj (*ibid.*, 340.10), the passage continues with a qualification about the ability to perform the duty (*tamakkun*).

¹⁶⁵ Ṭūsī, *Iqtisād*, 150.18; Ṭūsī, *Tamhīd*, 305.24; 'Allāma, *Mukhtalaf*, 4:473.7; 'Allāma, *Tadhkira*, 1:458.32. The qualification regarding *tamakkun* appears in both of Ṭūsī's versions.

¹⁶⁶ For Mānkdīm and the school of Abū 'l-Ḥusayn, see above, ch. 9, 216.

¹⁶⁷ To this a rather peripheral borrowing can be added. In his commentary to Q3:104, Zamakhsharī supports the view that the *min* of Q3:104 is partitive on the ground that only someone who knows how to go about the duty can perform it properly (*Kashshāf*, 1:396.8). This argument is borrowed by Ṭabrisī (*Jawāmi'*, 1:230.20, see above, ch. 2, note 21), and then refuted by Rāwandī (*Fiqh al-Qur'ān*, 1:358.14).

¹⁶⁸ Madelung describes the individual view as 'heightening the responsibility of every Muslim' for the duty ('Amr be ma'rūf', 995a).

¹⁶⁹ See Murtaḍā, *Dhakhīra*, 560.10; Abū 'l-Ṣalāḥ, *Kāfī*, 267.3; and the reporting in Ṭūsī, *Iqtisād*, 150.18, and his *Tamhīd*, 305.24.

¹⁷⁰ 'Allāma, *Mukhtalaf*, 4:473.16.

¹⁷¹ Cf. the remark of Jaṣṣaṣ (d. 370/981) that 'if it were not a collective obligation, it would not cease to obligate the rest when someone undertakes it' (*Aḥkām*, 2:29.25).

¹⁷² Ṭūsī, *Tibyan*, 2:548.13 (to Q3:104); similarly Rāwandī, *Fiqh al-Qur'ān*, 1:356.14 (also to Q3:104).

no continuing obligation. What, then, is the point at issue? An answer is to be found only in later texts.¹⁷³

6. *The conditions of obligation*

Only one major ingredient of these accounts remains to be discussed: the set of conditions (*shurūṭ*, *sharā’iṭ*) under which forbidding wrong is held to be obligatory. A convenient point of reference, and the root of most subsequent accounts, is the following list given by Murtaḍā:¹⁷⁴

- 1 The person who proposes to carry out the duty must know that the supposed offence is indeed wrong (*‘ilm al-munkir bi-kawnihi munkaran*; we may designate this condition ‘knowledge of law’).
- 2 He has to have evidence that the offence is going to continue in the future (*an yaḥṣul hunāka amārat al-istimrār ‘alā ‘l-munkar*; ‘evidence of persistence’).
- 3 He must consider it possible that his attempt will work (*tajwīz al-munkir ta’tḥir inkārihi fī ‘l-iglā’ ‘an al-munkar*; ‘possibility of efficacy’).¹⁷⁵
- 4 He must not thereby place himself in mortal danger (*an yartaḥiṣṣi khawfuhu ‘alā naḥsihi idhā ankar al-munkar*; ‘no mortal danger’).
- 5 Nor must he risk his property (*an lā yakhḥāḥ ‘alā mālihi matā ankar al-munkar*; ‘no danger to property’).
- 6 His action against the wrong must not itself be an occasion of something evil happening (*an lā yakūn fī inkārihi ‘l-munkar maḥṣada*; ‘no untoward side-effects’).

Most subsequent Imāmī lists of conditions can readily be seen to be variants of this six-condition schema. Sometimes the schema is repeated without significant change: the same six conditions are given in the same order by Ṭūsī in his longer theological works,¹⁷⁶ and by Ibn Idrīs.¹⁷⁷ More

¹⁷³ See below, 290–2. Zihdāzī, who pronounces for Ṭūsī’s view, disputes the inference that the (continued) obligation of others is pointless (*wa-namna ‘khuluww taklīf al-bāqīn ‘an al-fā’ida*, *Idāh*, 1:263.5); but he does not enlarge on the question.

¹⁷⁴ Murtaḍā, *Dhakhīra*, 555.15. A detailed exposition follows there.

¹⁷⁵ Murtaḍā notes that some replace this condition with one requiring that he should think that it actually will work (*ẓann al-munkir anna inkārahu yu’aththir*).

¹⁷⁶ Ṭūsī, *Iqtīṣād*, 148.7; Ṭūsī, *Tambīd*, 302.18. In the first, condition (3) is given with *yaẓunn* and *yujawwiz* as alternatives; in the second, Ṭūsī follows Murtaḍā. In both works he also reproduces the detailed exposition given by Murtaḍā in a pretty similar form.

¹⁷⁷ Ibn Idrīs, *Sarā’ir*, 2:23.2, taken as usual from Ṭūsī’s *Iqtīṣād*.

often, the number of conditions is reduced by amalgamating some or all of conditions (4), (5) and (6); Murtaḍā himself is said to have held that an amalgamation of all three was possible.¹⁷⁸ Thus Ibn Abī 'l-Majd amalgamates (4) and (5),¹⁷⁹ as does Ibn Ḥamza;¹⁸⁰ the Muḥaqqiq amalgamates all three to produce a four-condition schema,¹⁸¹ and the 'Allāma in general follows him.¹⁸² Occasionally the process is taken even further: in addition to such amalgamation, condition (2) is dropped. This is seen in one work of Murtaḍā,¹⁸³ in one of Ṭūsī,¹⁸⁴ and elsewhere.¹⁸⁵ The elements of diction

¹⁷⁸ Ṭūsī states that Murtaḍā often said this in his teaching (*tadrīs*), and himself endorses it as the stronger view (*al-aqwā*) (*Tamhīd*, 302.22; in his *Iqtisād*, 148.10, he makes the same point, but without reference to Murtaḍā, and this is copied by Ibn Idrīs in his *Sarā'ir*, 2:23.5).

¹⁷⁹ Ibn Abī 'l-Majd, *Ishāra*, 146.8. Since he does not number his conditions, the change is minimal.

¹⁸⁰ Ibn Ḥamza, *Wasīla*, 207.2. With regard to (6), he stipulates that carrying out *al-amr bi'l-ma'rūf* should not lead to a greater evil (*lā yu'addi ilā akthar minhu*); for this compare Mānkadīm, *Ta'liq*, 143.3 (*maḍarra a'ẓam minhu*), and below, ch. 14, notes 33, 37.

¹⁸¹ Muḥaqqiq, *Sharā'i*, 1:342.2 (where the inclusion of mortal danger and danger to property under untoward side-effects is spelled out); Muḥaqqiq, *Mukhtaṣar*, 139.5 (where it is assumed). He also reverses the order of conditions (2) and (3). The account of the 'possibility of efficacy' condition in the *Sharā'i* goes on to say that if one has good reason to believe (*law ghalaba 'alā ẓannihi*) or knows that it will not work, one has no obligation; this would suggest that *jawwaza* implies something more than a remote possibility of success.

¹⁸² 'Allāma, *Irshād*, 1:352.13; 'Allāma, *Muntabā*, 993.12; 'Allāma, *Qawā'id*, 1:524.10; 'Allāma, *Tabṣira*, 1:298.2; 'Allāma, *Tadbkira*, 1:458.33; 'Allāma, *Tahrīr*, 1:157.27. The topic is not treated in the *Mukhtalaf*, which would indicate that the 'Allāma found no differences of opinion worth discussing. The 'Allāma usually adopts the Muḥaqqiq's reversal of conditions (2) and (3), and in some of his works (the *Muntabā*, *Tadbkira* and *Tahrīr*) expands on the 'possibility of efficacy' condition in the same way as the Muḥaqqiq (see the previous note). The conditions mentioned by Madelung in his account of Imāmī views are the second and fourth of this four-condition schema ('Amr be ma'rūf', 995b). In his *al-Bāb al-hādī 'ashar*, however, the 'Allāma presents a four-condition schema which does not reverse conditions (2) and (3), and gives a deviant formulation of (2): the right or wrong has to be something that will actually happen (*mimmā sa-yaqā'ūn*) (*apud* Miqdād al-Suyūrī (d. 826/1423), *al-Nāfi' yawm al-ḥashr*, Beirut 1988, 127.21; cf. above, ch. 9, note 71); while in two works he espouses a three-condition schema (see below, note 185).

¹⁸³ Murtaḍā, *Jumal*, 39.18 (with implied amalgamation of (4) and (5)). Murtaḍā's shortest account of the duty gives no list of conditions, mentioning only that there should be no untoward side-effects (*mafsada*) (*Muqaddima*, 82.5).

¹⁸⁴ Ṭūsī, *Jumal*, 160.11 (with the amalgamation of all three spelled out), whence doubtless Rāwandī, *Fiqh al-Qur'ān*, 1:358.19.

¹⁸⁵ This schema is followed by Naṣīr al-Dīn al-Ṭūsī (*Tajrīd*, *apud* 'Allāma, *Kashf*, 455.18), and hence by the 'Allāma in his commentary thereto (*ibid.*, 455.19). More surprisingly, the 'Allāma adopts the same schema in his *Nahj al-mustarshidīn* (*apud* Miqdād, *Irshād*, 381.6). It also appears in a work likely to be by 'Imād al-Dīn Ṭabarī (*fl.* second half of the seventh/thirteenth century) (*Mu'taqad al-Imāmiyya* (in Persian), ed. M. T. Dānish-pazhūh, Tehran 1961, 340.12). It is conceivable that Ash'arite influence could have played some part in the appearance of the three-condition schema (cf. below, ch. 13, 351).

shared by all these accounts confirm their close genetic links.¹⁸⁶ Their general origin is not far to seek: Murtaḍā was a Baṣran Mu‘tazilite, and these accounts show a broad family resemblance to those of Mānkḍīm on the one hand,¹⁸⁷ and (more distantly) of the school of Abū ‘l-Ḥusayn on the other.¹⁸⁸

There are nevertheless Imāmī accounts that stand outside this tradition. What they have in common is that being able to perform the duty is stipulated as a condition for obligation. Though not found in the sources considered so far,¹⁸⁹ this feature is in fact so widespread that in itself it has little genetic significance.¹⁹⁰ Most of the accounts exhibiting it do not present a formal list of conditions at all.¹⁹¹ The two clear exceptions are Abū ‘l-Ṣalāḥ and Yahyā ibn Sa‘īd. Abū ‘l-Ṣalāḥ presents a list of five conditions which in

¹⁸⁶ Note particularly the use of the term *istimrār* in most formulations of condition (2); it is not common in non-Imāmī sources, which tend to use very different wordings to make the same or a similar point (for exceptions, see above, ch. 6, notes 132f., and Muwaffaq, *Iḥṭāṭ*, ff. 137b.8, 138a.19 (*yastamirr*)). For the versions lacking condition (2), the use of *jawwaza* in condition (3) constitutes a comparable linkage.

¹⁸⁷ See above, ch. 9, 207–9. In terms of Murtaḍā’s conditions, Mānkḍīm’s list runs (1), (2), (6), (3), (4+5). Here Mānkḍīm formulates condition (2) in terms of the offence being *ḥādīr*; condition (6) in terms of greater evil; condition (3) in terms of knowing or having good reason to believe; and he qualifies condition (4+5) (it depends on the person).

¹⁸⁸ See above, ch. 9, 222f. Among the Imāmīs, only Ḥimmaṣī reproduces this schema, albeit with some modification (*Munqidh*, 2:216.1–220.6; see above, ch. 9, note 153 for details). In other Imāmī accounts, the structure is of course very different from that which characterises the school of Abū ‘l-Ḥusayn, and there are divergences in the conditions that go beyond wording. There is, however, an element in common as between one of the accounts reflecting the doctrine of Abū ‘l-Ḥusayn and those of Murtaḍā and Ṭūsī: the impropriety of taking action against what one does not know to be wrong is compared to that of asserting what one does not know to be true (Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:309.1; Murtaḍā, *Dhakhīra*, 555.21 (for *ya‘maluhu* read *ya‘lamuhu* twice); Ṭūsī, *Iqtisād*, 148.13; Ṭūsī, *Tambīd*, 302.25).

¹⁸⁹ Ibn Abī ‘l-Majd is an exception: after setting out his list of conditions, he goes on to say that when they are satisfied, and given *istiṭā‘a* and *mukna*, there is obligation with the hand, tongue and heart (*Ishāra*, 146.9). The other accounts deriving from Murtaḍā’s present the list as complete in itself.

¹⁹⁰ For its appearance in non-Imāmī Mu‘tazilite sources, see above, ch. 9, note 42. For its appearance in Sunnī sources, see for example Abū Ya‘lā, *Mu‘tamad*, 194 §350; Ghazzālī, *Iḥyā’*, 2:292.10.

¹⁹¹ So Ibn Bābawayh, *Hidāya*, 11.8; Mufid, *Muqni‘a*, 809.6; Sallār, *Marāsim*, 260.4; Ṭūsī, *Nihāya*, 299.10, 300.1; Ṭūsī, *Tibyān*, 2:549.16 (to Q3:104) (whence Rāwandī, *Fiqh al-Qur‘ān*, 1:357.20); Ibn al-Barrāj, *Mubadḥāḥab*, 1:341.4. Cf. also above, note 47, for a formulation ascribed to al-Riḍā. Ibn Qība (d. not later than 319/931) likewise stresses that obligation depends on being able to perform the duty (*tāqa*, *imkān*) (*Naqd Kitāb al-ishbāḥ*, apud Modarressi, *Crisis and consolidation*, 194.1, 200.18). Rāwandī (*Fiqh al-Qur‘ān*, 1:359.5 (to Q3:110)) borrows such a formulation from Zamakhsharī (*Kashshāf*, 1:398.4 (to Q3:104)). Ibn Tāwūs (d. 664/1266) tells his son that the devil may seek to persuade him that he is unable to perform the duty (*annaka mā taqdir ‘alā ‘l-inkār*) (*Kashf al-maḥajja*, Najaf 1950, 102.7); the burden of the passage is that one should avoid situations in which the duty to protest is incurred, since these of necessity bring upon one either human or divine displeasure (see Kohlberg, *Ibn Tāwūs*, 18f.).

some ways clearly belongs to the same family as Murtaḍā's, and yet in others is notably deviant.¹⁹² The second of his conditions is being able to perform the duty (*al-tamakkun min al-amr wa'l-nahy*). If for the sake of argument we assume that Abū 'l-Ṣalāḥ's set of conditions and Murtaḍā's are equivalent, this would imply that Abū 'l-Ṣalāḥ's second condition is tantamount to Murtaḍā's (4) and (5) – in other words, that to be able to act is to be free of danger.¹⁹³ But the assumption could well be wrong: in Yahyā ibn Sa'īd's otherwise less interesting set of conditions, a person's being able to perform the duty (*tamakkunuhu min dhālika*) replaces Murtaḍā's possibility of efficacy.¹⁹⁴

There are also accounts in this group that, without presenting a formal list of conditions, have more to say about the relevant issues. Three in particular share features that set them apart from others in the group, as also from the lists given by Abū 'l-Ṣalāḥ, Murtaḍā and others. All three are found in legal works: those of Mufīd,¹⁹⁵ Ṭūsī¹⁹⁶ and Ibn al-Barrāj.¹⁹⁷ In each case, after stipulating that one must be able to perform the duty,¹⁹⁸ the account goes on to treat danger, and specifies that this can be danger 'now or in the future'.¹⁹⁹ Although there is nothing conceptually

¹⁹² Abū 'l-Ṣalāḥ, *Kāfi*, 265.3. Leaving aside his second condition (which will be discussed in a moment), the order is the same for the four common conditions. Two of them (Murtaḍā's (3) and (6)) use the same terminology (note especially the use of *tajwiz* in condition (3)). The other two, however, use quite different wording. Under (1), he speaks in terms of *ḥusn* and *qubḥ*, rather than *ma'rūf* and *munkar* (compare the similar usage of Ibn al-Malāḥimī, *Fā'i*q, f. 256b.23; Ibn Abī 'l-Ḥadīd, *Sharḥ*, 19:308.20; Zamakhsharī, *Minhāj*, 78.1; Zamakhsharī, *Kashshāf*, 1:397.13 (to Q3:104)). Under (2), he speaks of having good reason to believe in the occurrence (*wuqū'*) of the evil in the future (compare the use of the same term in the wording of a related condition in the accounts of Ibn Abī 'l-Ḥadīd, *Sharḥ*, 19:309.16, and Zamakhsharī, *Kashshāf*, 1:397.16 (to Q3:104); and cf. Zamakhsharī, *Minhāj*, 77.12, and Ibn al-Malāḥimī, *Fā'i*q, f. 257a.15). Like Murtaḍā, Abū 'l-Ṣalāḥ follows his list with a detailed discussion of the conditions; but for the most part the material is different. At one point (*Kāfi*, 266.1) he reports an argument also adduced by Zamakhsharī (*Kashshāf*, 1:396.12 (to Q3:104), 2:171.25 (to Q7:164); and cf. Zamakhsharī, *Minhāj*, 78.3): it is bad to attempt to perform the duty against collectors of tolls (*aṣḥāb al-ma'aṣir*) because it is futile (Abū 'l-Ṣalāḥ goes on to reject this argument, *Kāfi*, 266.12). All this suggests that he was influenced by the school of Abū 'l-Ḥusayn.

¹⁹³ Unfortunately Abū 'l-Ṣalāḥ's treatment of this condition in his subsequent discussion does not help to elucidate it further (*Kāfi*, 260.16).

¹⁹⁴ Yahyā ibn Sa'īd, *Jāmi'*, 239.10. Likewise Mufīd's account in his *Muqni'a* distinguishes between being able to perform the duty and absence of danger (*ibid.*, 809.8). Ṭūsī's account in his *Nihāya* at one point distinguishes them (*ibid.*, 299.11), but at another identifies them (*ibid.*, 300.1). Ghazzālī, by way of comparison, interprets being able (*qādir*) to perform the duty to include both absence of danger and expectation of success (*Iḥyā'*, 2:292.13). ¹⁹⁵ Mufīd, *Muqni'a*, 809.6. ¹⁹⁶ Ṭūsī, *Nihāya*, 299.10.

¹⁹⁷ Ibn al-Barrāj, *Muḥadḍḥab*, 1:341.4.

¹⁹⁸ The terms used are *imkān* (and *tamakkana*), *tamakkana*, and *mutamakkin* respectively. ¹⁹⁹ The wordings are *fī 'l-ḥāl wa-mustaḡbalihā*, *lā fī 'l-ḥāl wa-lā fī mustaḡbal al-awqāt*, and *lā fī ḥāl al-amr wa'l-nahy wa-lā fī mā ba'd ḥādhibi 'l-ḥāl min mustaḡbal al-awqāt* respectively.

remarkable about this phrasing of the condition, it is unusual. The fact that it occurs in a work of Mufid means that it does not derive from the Baṣran Mu‘tazilite tradition. Since in each case it appears in accounts couched in the language of the ‘three modes’, it could in principle stem from a traditionalist source. But given the nexus of jargon with which it is associated, a Baghdādī Mu‘tazilite origin seems more likely.²⁰⁰ The phrase is scarcely found after Ibn al-Barrāj;²⁰¹ its virtual disappearance could thus be seen as an instance of the displacement of the Baghdādī by the Baṣran heritage.

A final point, and one of more substantive interest, arises over the question what happens when the conditions for obligation are not satisfied: is it still good to proceed? In principle, this question can arise with reference to several of the conditions.²⁰² In practice, it arises most pressingly with regard to danger. The standard view in the Baṣran Mu‘tazilite tradition would seem to have been that it is good to be a hero, at least if this is for the greater glory of the faith (*iʿzāz lil-dīn*). Such is the view of ‘Abd al-Jabbār,²⁰³ Mānkdm̄²⁰⁴ and Abū ʿl-Ḥusayn.²⁰⁵ This attitude can also be found among the Sunnīs.²⁰⁶ The Imāmīs, by contrast, will have none of this, or very little.²⁰⁷ Sallār, the most adventurous in this regard, goes no further than to allow that there are cases not involving mortal danger where suffering is rewarded, as when one is subjected to abuse (*sabb*) or to

²⁰⁰ Another unusual element in Mufid’s account in his *Muḡniʿa* is the stipulation of a *shart al-ṣalāḥ* (*ibid.*, 809.7). In his *Awāʿil al-maḡālāt*, he states that *al-amr biʿl-maʿrūf* with the tongue is obligatory on condition (a) that it is needed (*bi-shart al-hāja ilayhi*) to instruct someone and (reading *wa-* for *aw*) (b) that it is known – or there is good reason to believe – that it will be advantageous (*wa-huṣūl al-ʿilm biʿl-maṣlaḥa bihi aw ghalabat al-ḡann bi-dhālika*) (*ibid.*, 98.4). The terms *ṣalāḥ* and *maṣlaḥa* in these two works presumably refer to the same condition; at a guess, it might be equivalent to conditions (3) and (6) of Murtaḏā’s schema. In the *Awāʿil al-maḡālāt*, Mufid also refers to the imam’s permission as a condition (*shart*), a usage not found elsewhere in the Imāmī sources. Here too we may have residues of distinctively Baghdādī doctrine.

²⁰¹ Yahyā ibn Saʿīd uses the phrase *fī ʿl-hāl aw al-maʿāl* (*Jāmiʿ*, 239.12), and much later it reappears in this form in Najafī (d. 1266/1850), *Jawābir al-kalām*, Najaf and Tehran 1378–1404, 21:371.13, whence Khwānsārī (d. 1405/1985), *Jāmiʿ al-madārik*, Tehran 1383–92, 5:404.17.

²⁰² See above, ch. 9, 213, 222f. I have seen no comparably systematic statement in the Imāmī sources.

²⁰³ See also above, ch. 9, 202 and note 74. For the view of the Baghdādī Mu‘tazilite Rummānī, see above, ch. 9, note 36.

²⁰⁴ See above, ch. 9, 209, condition (5). Similarly Ibn al-Murtaḏā and Yahyā ibn Ḥamza (see above, ch. 10, note 112). ²⁰⁵ See above, ch. 9, notes 74, 155.

²⁰⁶ Thus for Abū Yaʿlā (d. 458/1066), see above, ch. 6, note 142; for Ghazzālī (d. 505/1111), see below, ch. 16, note 42; for Ibn al-ʿArabī (d. 543/1148), see below, ch. 14, 366.

²⁰⁷ Iṣḥāq ibn Wahb condemns heroism in the performance of the duty as stupidity (*jahl*) tantamount to provoking a wild beast (*Burhān*, 277.3). If this can be taken to represent an Imāmī view (cf. above, notes 40, 115), it is an early attestation.

the loss of a bit of one's property (*dhabāb ba'ḍ mālihi*).²⁰⁸ Murtaḍā rejects outright the view that courting danger to one's property in forbidding wrong can be good,²⁰⁹ and goes on to deny that enduring death can be justified even in terms of the glory of the faith.²¹⁰ He is followed by Ṭūsī in his longer doctrinal works.²¹¹ Thereafter the issue is scarcely discussed. We might see this departure from well-established Baṣran doctrine as mandated by the tradition from Ja'far al-Šādiq according to which a man who exposes himself to an unjust ruler gets no reward for his suffering.²¹² But no reference is made to this tradition.²¹³ It therefore seems more likely that this was one of the few cases in this period where the development of Imāmī doctrine was driven by practical considerations.

These six topics apart, there is little in the classical Imāmī accounts that calls for attention. Some scholars commence with definitions of key terms,²¹⁴ again continuing a Baṣran Mu'tazilite tradition.²¹⁵ A couple of themes familiar elsewhere are notably absent. The Imāmīs scarcely discuss the question whether a man who is himself an offender is obligated to

²⁰⁸ Sallār, *Marāsim*, 260.11. His contemporary Abū 'l-Šalāh takes a position that implicitly rejects heroism, though the point is not spelled out (*Kāfi*, 266.17).

²⁰⁹ Murtaḍā, *Dhakhīra*, 557.19. He holds that it makes no difference whether a lot of property is at stake or a little (*ibid.*, 558.7).

²¹⁰ *Ibid.*, 558.9; cf. his presentation of the issue, *ibid.*, 557.13. By contrast, he has a favourable view of heroism for the greater glory of the faith in the case of a man who is under pressure to make professions of unbelief (*ibid.*, 562.9); he goes on to argue that in such a case getting killed cannot be considered an evil (*mafsada*) (*ibid.*, 562.15).

²¹¹ Ṭūsī, *Iqtisād*, 149.9; Ṭūsī, *Tamhīd*, 304.1. Cf. also his *Tibyān*, 2:422.19, followed by Ṭabrisī, *Majma'*, 1:423.32 (both to Q3:21). Likewise Ṭūsī firmly rejects the idea that speaking out in the presence of an unjust ruler and getting killed for it can be good (*Tamhīd*, 307.2, invoking the duty of *taqiyya*; cf. Murtaḍā, *Dhakhīra*, 562.13). On the other hand, Ṭūsī allows for a bit of unpleasantness (*ba'ḍ al-mashaqqqa*) in performing the duty (*Tibyān*, 8:279.19 (to Q31:17); Rāwandī mentions abuse and blows which are not life-threatening, *Fiqh al-Qur'ān*, 1:361.7 (also to Q31:17)). For Ṭūsī's invocation of *taqiyya* in this context, compare Ishāq ibn Wahb, *Burhān*, 277.8, and cf. above, note 34. Ḥimmaṣī does not adopt the categorical position of Murtaḍā and Ṭūsī; but he distances himself from the contrary analysis which he reproduces from the school of Abū 'l-Ḥusayn, and carefully sits on the fence (*Munqidh*, 2:218.18, 219.19).

²¹² For this tradition, see above, note 36.

²¹³ The 'Allāma quotes the tradition, but only to make the point that the obligation is voided in such cases (*Muntahā*, 993.23).

²¹⁴ Abū 'l-Šalāh, *Kāfi*, 264.6 (defining *amr* and *nahy*); Ḥimmaṣī, *Munqidh*, 2:209.6 (defining *ma'rūf* and *munkar*); Muḥaqqiq, *Sharā'i*, 1:341.3 (defining *ma'rūf* and *munkar*); 'Allāma, *Muntahā*, 991.35; 'Allāma, *Tadhkira*, 1:458.3; 'Allāma, *Tahrīr*, 1:157.12 (each defining – with one omission – *amr* and *nahy*, *ma'rūf* and *munkar*, *ḥasan* and *qabīḥ*). The 'Allāma in these works notes that *ḥasan* and *qabīḥ* are asymmetric: technically, the former includes the permitted, the recommended, the obligatory and the disapproved, while the latter comprises only the forbidden. See also his *Nahj al-mustarshidin*, *apud* Miqdād, *Irshād*, 380.2.

²¹⁵ Compare the definitions of *amr* and *nahy*, *ma'rūf* and *munkar* with which Mānkḍīm opens his discussion (see above, ch. 9, 205).

forbid wrong;²¹⁶ and they have almost nothing to say about the impropriety (or otherwise) of seeking to carry out the duty in matters on which other law-schools hold differing views.

Overall, the classical Imāmī doctrine of forbidding wrong is one that reflects the realities of the lecture-room rather than the street. There are only two clear exceptions to this. One is the retention of the doctrine of the imam’s permission, despite what I take to be its no longer fashionable Baghdādī Mu‘tazilite source, and its rejection by Murtaḍā. The other is the condemnation of heroism – in striking departure from the predominant Baṣran strain of Mu‘tazilism. Both points reflect an underlying quietism which is in sharp contrast to Zaydism. Turning to the lecture-room, it is remarkable that despite the abundance of Imāmī tradition on the subject of forbidding wrong, the doctrine of the classical jurists owes little to that earlier stage of Imāmī thought. Instead, it mixes elements that we can assign with greater or lesser plausibility to Sunnī traditionalism, Baghdādī Mu‘tazilism and Baṣran Mu‘tazilism. While the traditionalist element maintains its position, the Baghdādī strain of Mu‘tazilism seems to be displaced by its Baṣran rival, to the point that only the doctrine of the imam’s permission can be seen as a plausible Baghdādī survival. Be this as it may, the fusion of Mu‘tazilite and traditionalist thought again sets Imāmī doctrine apart from that of the Zaydīs.

4. THE LATER IMĀMĪ SCHOLARS

The history of Imāmī scholasticism from the eighth to the fourteenth/fourteenth to twentieth centuries is in some respects strikingly conservative; but in others it displays a creativity unparalleled at the time in other sects or schools. This paradox is clearly in evidence in the case of forbidding wrong. On the one hand, the agenda of discussion down the centuries continues to be that set by the classical jurists. Indeed many of the relevant works of the later scholars are commentaries on the standard texts of the classical period.²¹⁷ Yet on the other hand, the attitude of these scholars to the works

²¹⁶ An author who does consider the issue is Ishāq ibn Wahb (*Burhān*, 276.9), in a discussion in which he quotes and correctly ascribes Jesus’s mote and beam saying (cf. I. Goldziher, ‘Matth. VII. 5 in der muhammedanischen Literatur’, *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 31 (1877), 765–7). This saying appears already in Abū ‘Ubayd al-Qāsim ibn Sallām (d. 224/838f.), *Amthāl*, ed. ‘A. Qaṭāmish, Damascus and Beirut 1980, 74 no. 152 (with further references), see *EI*², art. ‘MATHAL’, 819b (R. Sellheim); also in Jāhiz, *Kitmān al-sirr*, 162.13. Rāwandī’s treatment of the question (*Fiḥ al-Qur’ān*, 1:359.13 (to Q3:110)) is borrowed from Zamakhsharī (*Kashshāf*, 1:398.8 (to Q3:104)).

²¹⁷ In addition to the works cited below, there are also some monographic treatments of *al-*

upon which they are commenting is not unduly respectful. What is more, their thinking is often more supple and sophisticated than that of their predecessors, and they show little inhibition about displaying this. The upshot is a widespread tendency in these later works to subvert the classical Imāmī doctrine of forbidding wrong without replacing it with anything better. This tendency is readily apparent if we run through the topics considered in the previous section.

1. *The three modes*

With regard to the modes of performance of the duty, the setting of the discussion among the later scholars remains recognisably classical. Virtually all of them talk the language of the three modes (heart, tongue and hand),²¹⁸ even if they go on to question some part of the classical heritage. As before, there is emphasis on the principle of escalation,²¹⁹ and the order in which the modes are listed is usually escalatory; but the de-escalatory

amr bi'l-ma'rūf from this period which I have not seen (see Modarressi Tabātabā'i, *Introduction*, 170; also S. H. al-Tu'ma, 'al-Makhtūṭāt al-'Arabiyya fi khizānat Āl al-Mar'ashī fi Karbalā', *al-Mawrid*, 3, no. 4 (1974), 285 no. 3 (I owe this reference to Maribel Fierro)).

²¹⁸ Thus Najafī remarks that he has found no disagreement among the scholars with regard to the number of the modes (*marātib*) (*Jawāhir*, 21:374.15).

²¹⁹ See al-Shahīd al-Awwal (d. 786/1384), *al-Durūs al-shar'īyya*, Qumm 1412–14, 2:47.9, and his *al-Lum'a al-Dimashqīyya*, Tehran 1406, 46.8; Miqdād al-Suyūrī (d. 826/1423), *al-Tanqīḥ al-rā'i*, ed. 'A. al-Kūhkamārī, Qumm 1404, 1:594.20; Miqdād al-Suyūrī, *Nāfi*, 129.12; Miqdād al-Suyūrī, *Kanz*, 1:405.4, 407.12 (whence Kāshānī, *Manhaj*, 2:295.4 (to Q3:104)); Ibn Ṭayy (d. 855/1451), *al-Durr al-manḍūd*, ed. M. Barakat, Shīrāz 1418, 103.9; al-Shahīd al-Thānī (d. 965/1557f.), *Masālik al-afshām*, Qumm 1413–, 3:104.21; al-Shahīd al-Thānī (d. 965/1557f.), *al-Rawḍa al-bahīyya*, ed. M. Kalāntar, Najaf 1386–90, 2:416.5; Abū 'l-Fath al-Jurjānī, *Tafṣīr*, 2:101.3; Kāshānī, *Manhaj*, 2:294.4 (to Q3:104); Muqaddas al-Ardabīlī (d. 993/1585), *Majma' al-fā'idā*, ed. M. al-'Arāqī *et al.*, Qumm 1402–, 7:541.11; Bahā' al-Dīn al-'Āmilī (d. 1030/1621), *Jāmi'-i 'Abbāsī*, n.p. 1328, 146.21; Jawād al-Kāzīmī (writing 1043/1633), *Masālik al-afshām*, ed. M. T. al-Kashfī and M. B. al-Bihbūdī, Tehran c. 1347 sh., 2:374.16; Sabzawārī (d. 1090/1679f.), *Kifāyat al-ahkām*, n.p. 1269, 82.16; Muḥsin al-Fayḍ (d. 1091/1680), *Mafātīḥ al-sharā'i*, ed. M. Rajā'i, Qumm 1401, 2:56.20; Muḥsin al-Fayḍ (d. 1091/1680), *al-Mahajja al-bayḍā' fi tahdhīb al-Ihyā'*, ed. 'A. A. al-Ghaffārī, Tehran 1339–42 sh., 4:108.9 (this account of *al-amr bi'l-ma'rūf*, in an Imāmī recension of Ghazzālī's *Ihyā'*, was first drawn to my attention by Basim Musallam); Muḥsin al-Fayḍ (d. 1091/1680), *Nukhba*, n.p. 1303, 110.4; Aḥmad al-Jazā'irī, *Qalā'id*, 2:204.7; Kāshif al-Ghiṭā' (d. 1227/1812), *Kashf al-ghīṭā'*, Iṣfahān n.d., 420.19; Mīrzā Abū 'l-Qāsim Qummī (d. 1231/1815f.), *Jāmi' al-shatāt* (in Persian), ed. M. Raḍawī, Tehran 1371–sh., 1:421.23; Najafī, *Jawāhir*, 21:378.6 (remarking that he finds no disagreement on the point), 378.22, 380.10; Khū'i (d. 1413/1992), *Minhaj al-ṣāliḥīn*, *apud* Taqī al-Ṭabāṭabā'i al-Qummī, *Mabānī Minhāj al-ṣāliḥīn*, Qumm 1405–11, 7:157.1, 158.1; Khumaynī (d. 1409/1989), *Tahrīr al-Wasīla*, Beirut 1981, 1:476 no. 1; 477f. nos. 1–4; 479f. no. 1; 481 no. 13, and throughout the discussion. Escalation is often referred to as *tadarruj* in these texts.

sequence can still be found.²²⁰ At some points the classical schema is refined or embellished. Thus a more sophisticated handling of the relationship between the escalatory and de-escalatory orderings of the modes makes its appearance.²²¹ The discussions of escalation also become richer in detail; thus twisting ears is assigned its place in the spectrum.²²²

More subversive developments are found regarding the old and ambiguous notion of performance through the heart. The distinction between performing the duty *within* the heart (an unobservable mental act) and doing it *by means* of the heart (manifesting disapproval through outward and visible signs) is now generally assumed, and sometimes very clearly stated.²²³ More significantly, it is regularly argued that performance in (or even with) the heart does not properly speaking fall under forbidding wrong at all, since it does not involve commanding or forbidding.²²⁴ Performance with the heart is, however, generally accepted as part of forbidding wrong. But here the sequencing of the first and second modes is cleverly and convincingly attacked: a performance with the heart, such as cutting someone dead, may in fact be a harsher measure than a performance with the tongue, such as gently rebuking them.²²⁵ The implication is the collapse of the second mode and what is left of the first into one.²²⁶

²²⁰ For the escalatory sequence, see Miqdād, *Tanqīh*, 1:594.15 (cf. *ibid.*, 593.7); Miqdād, *Nāfi‘*, 129.12; Kāshānī, *Manhaj*, 2:294.5 (to Q3:104); Aḥmad al-Jazā’irī, *Qalā’id*, 2:202.6; Khwānsārī, *Jāmi‘*, 5:407.14; Khūṭī, *Minhāj*, 7:157.2; Khumaynī, *Tahrīr*, 1:476.10, 477.22, 479.22. For the de-escalatory sequence, see Abū ‘l-Maḥāsīn al-Jurjānī, *Jilā’ al-adhbān*, 2:99.16 (to Q3:104).

²²¹ In one of his works al-Shahīd al-Awwal (d. 786/1384) discusses what he calls the mutual inversion (*ta’ākus*) of the sequences; he describes the de-escalatory sequence as ordered with respect to strength (*qudra*), and the escalatory sequence as ordered with respect to efficacy (*ta’thīr*) (*al-Qawā’id wa’l-fawā’id*, ed. ‘A. al-Ḥakīm, Najaf 1980, 2:202.11). This passage is not found in the Shahīd’s Vorlage, the *Furūq* of the Mālikī Qarāfi (d. 684/1285), but it reappears in Miqdād al-Suyūrī (d. 826/1423), *Nadd al-Qawā’id al-fiqhiyya*, ed. ‘A. al-Kūhkamārī, Qumm 1403, 265.4; the latter also has a less illuminating discussion of the question in his *Tanqīh* (1:593.18), with a conclusion (*ibid.*, 594.15) questioning the ‘Allāma’s view (above, note 77) that the dispute is merely verbal. See also Najafi, *Jawāhir*, 21:379.15.

²²² Miqdād, *Tanqīh*, 1:595.7; Ibn Tayy, *Durr*, 104.3; al-Shahīd al-Thānī, *Masālik*, 3:105.6; Najafi, *Jawāhir*, 21:378.12.

²²³ For particularly explicit formulations of the distinction, see al-Shahīd al-Thānī, *Masālik*, 3:103.14; Bahā’ al-Dīn, *Arba‘in*, 106.17; Mīrzā-yi Qummī, *Jāmi‘*, 1:421.14.

²²⁴ Miqdād, *Tanqīh*, 1:593.19 (but cf. *ibid.*, 594.20); Karakī (d. 940/1534), *Jāmi‘ al-maqašid*, Qumm 1408–11, 3:486.15; Karakī, *Fawā’id al-Sharā’i‘*, f. 138b.7; al-Shahīd al-Thānī, *Masālik*, 3:103.19; al-Shahīd al-Thānī, *Rawḍa*, 2:417.5; Muqaddas, *Majma‘*, 7:540.11; Bahā’ al-Dīn, *Arba‘in*, 107.10; Najafi, *Jawāhir*, 21:368.1, 376.9, 377.1, 377.18; Muḥsin al-Amīn (d. 1371/1952), *Sharḥ Taḥṣirat al-muta‘allimīn*, Damascus 1947, 95.19; Khwānsārī, *Jāmi‘*, 5:408.5, 409.7; Khumaynī, *Tahrīr*, 1:477 no. 7; Taqī al-Qummī, *Mabānī*, 7:156.12.

²²⁵ The first to make this point seems to have been Muqaddas al-Ardabīlī (*Majma‘*, 7:542.9). It reappears in Kāshif al-Ghiṭā’, *Kashf*, 420.20; Mīrzā-yi Qummī, *Jāmi‘*, 1:421.24; Najafi, *Jawāhir*, 21:379.5, 380.16; Khwānsārī, *Jāmi‘*, 5:410.7; Khumaynī, *Tahrīr*, 1:478 no. 6.

²²⁶ As indicated by Khūṭī (*Minhāj*, 7:157.2).

Very occasionally the undermining of classical doctrine reached further. Miqdād al-Suyūrī (d. 826/1423) considered the possibility of defining ‘commanding’ (*amr*) in a manner that does not limit it to a verbal act, but he addressed the issue only in the context of resolving a problem of definition.²²⁷ In a hypothetical vein, Muqaddas al-Ardabīlī (d. 993/1585) observed that, were it not for the consensus on the point, the permissibility of any kind of violence in the performance of the duty would be problematic.²²⁸ Bahā’ al-Dīn al-‘Āmilī (d. 1030/1621) suggested in passing that it did not really make sense to speak of ‘commanding’ or ‘forbidding’ except with reference to some kinds of verbal performance, but he accepted that it was a convention of legal usage to do so.²²⁹ Najafī (d. 1266/1850) found it worthwhile to refute such doubts.²³⁰ None of this is of great significance. But a contemporary scholar, Taqī al-Qummī, has set out this line of argument in earnest – most likely following the lead of his teacher Khū’ī (d. 1413/1992). In this account, neither the first nor the third mode qualifies for inclusion in the concept of forbidding wrong, nor does so classic an instance of the second mode as counselling someone.²³¹

2. *The imam’s permission*

The question whether the imam’s permission is needed where performance of the duty involves a high level of violence is regularly discussed. The general tendency is to perpetuate the view of the majority of the classical scholars that this permission is necessary, or to restrict such measures to the imam or his deputy outright.²³² By contrast, the minority view to

²²⁷ Miqdād, *Irshād*, 382.2.

²²⁸ Muqaddas, *Majma’*, 7:543.5; and see Sabzawārī, *Kifāya*, 82.32, and Mīrzā-yi Qummī, *Jāmi’*, 1:422.14.

²²⁹ Bahā’ al-Dīn, *Arba’in*, 107.10. He refers to the usage as employment of a metaphor (*tajawwuz*), but says that it has in effect become the literal usage of the lawyers (*ḥaqīqa shar’iyya*). The verb *tajawwaza* had already been used by al-Shahīd al-Thānī with regard to the practice of the scholars in treating performance in the heart as though it belonged to *al-amr bi’l-ma’rūf* (*Rawḍa*, 2:417.8).

²³⁰ Najafī, *Jawāhir*, 21:381.13, 382.6. He says that despite the plain sense of the words ‘command’ and ‘forbid’ (*ḡābir lafẓ al-amr wa’l-nahy*), what is meant by *al-amr bi’l-ma’rūf* is not just verbal activity (*mujarrad al-qawl*).

²³¹ See Taqī al-Qummī, *Mabānī*, 7:156.14 (on performance with the heart), 156.17 (on *wa’z* and *naṣīḥa*), 157.8 (on *ḍarb*, *shatm* and *sabb*), 157.12 (a general statement rejecting Najafī’s view as unproven assertion). There is no indication of a political agenda behind this radical attack on the traditional scholastic doctrine.

²³² Thus al-Shahīd al-Awwal remarks that the most plausible view (*al-aqrab*) is that wounding and killing should be made over to the imam (*tafwīḍuhumā ilā ’l-imām*) (*Durūs*, 2:47.10, cited in Sachedina, *Just ruler*, 145); Miqdād considers them a duty of the imam (*waḡifa imāmiyya*) (*Kanz*, 1:405.5, whence Kāshānī, *Manhaj*, 2:294.4); Karakī endorses the need for the imam’s permission, citing the danger of disorder (*thawarān al-fitna*) (*Jāmi’*, 3:488.20, and *Fawā’id*, f. 139a.5; see also Mudarrisī Ṭabāṭabā’ī, *Zamīn*, 1:112

the contrary held by the ʿAllāma and others hardly survives in this period.²³³ This does not, however, mean that the question had been resolved and that the later scholars did no more than repeat what their predecessors had said. There are new developments in several directions.

One interesting innovation is the occasional expression of the idea that, in the absence of the imam, a suitably qualified jurist (*al-faqīh al-jāmiʿ li-l-sharāʾiʿ*, *al-faqīh al-jāmiʿ li-sharāʾiʿ al-fatwā*) can undertake such performance of the duty. This idea appears in the early Ṣafawid period,²³⁴ though without becoming particularly prominent; as we will see, it reappears in a modified form with Khumaynī (d. 1409/1989).²³⁵

At the same time classical thought is undermined from various directions. A subtle attack is mounted by al-Shahīd al-Thānī (d. 965/1557f.). He distinguishes wounding and killing. Wounding by itself, he suggests, may not require the imam's permission. Killing may indeed be a matter for the imam; but this is scarcely a concession to the classical view, since he also argues that killing can have no place in forbidding wrong. The reason this is so is that killing someone in such a context is self-defeating: dead men cannot obey orders.²³⁶ More radical still is the criticism of Muqaddas al-Ardabīlī. Wounding and killing, he points out, are not instances of commanding and forbidding; consequently the obligatoriness of wounding

Footnote 232 (*cont.*)

n. 42); Najafī endorses the classical doctrine in a long and heated argument laying particular emphasis on the same theme (*Jawāhir*, 21:383.12; he ends with the remark that such a duty is rare or non-existent these days, *ibid.*, 385.21).

²³³ Sabzawārī inclines to it (*Kifāya*, 83.3), and al-Shahīd al-Awwal adopts it in his *Ghāyat al-murād* (Qumm 1414–, 1:509.6; contrast his view in the *Durūs* as cited in the previous note).

²³⁴ Karakī suggests that such a jurist may undertake such action during the *ghayba* on the analogy of his role in the execution of the *hudūd* (*Jāmiʿ*, 3:488.20; *Fawāʾid*, f. 139a.5; likewise al-Shahīd al-Thānī, *Masālik*, 3:105.16). Cf. also Najafī, *Jawāhir*, 21:385.18 (speaking in similar terms of the *nāʾib al-ghayba*). For the 'qualified jurist' in other contexts, see N. Calder, 'Judicial authority in Imāmī Shīʿī jurisprudence', *British Society for Middle Eastern Studies Bulletin*, 6 (1979), 105; N. Calder, 'Zakāt in Imāmī Shīʿī jurisprudence, from the tenth to the sixteenth century AD', *Bulletin of the School of Oriental and African Studies*, 44 (1981), 479f.; W. Madelung, 'Shiite discussions on the legality of the *kharāj*', in R. Peters (ed.), *Proceedings of the ninth Congress of the Union Européenne des Arabisants et Islamisants*, Leiden 1981, 194 n. 5; Modarressi Tabātabāʾī, *Kharāj in Islamic law*, 157f.; A. J. Newman, 'The nature of the Akhbārī/Uṣūlī dispute in late Ṣafawid Iran, Part 2: the conflict reassessed', *Bulletin of the School of Oriental and African Studies*, 55 (1992), 257–9. ²³⁵ See below, ch. 18, note 243.

²³⁶ See al-Shahīd al-Thānī, *Rawḍa*, 2:416.11, and al-Shahīd al-Thānī, *Masālik*, 3:105.12 (Sachedina's report of al-Shahīd al-Thānī's position is misleading, *Just ruler*, 145); similarly Sabzawārī, *Kifāya*, 83.3. Najafī criticises the distinction between wounding and killing on the ground that the first leads to the second (*Jawāhir*, 21:385.13). The point that dead men cannot obey orders is also made in a Zaydī source ('Alī ibn al-Ḥusayn, *Lumaʿ*, f. 220b.14, in the scholion), but there with respect only to killing in *al-amr bi'l-ma'ruf* as opposed to *al-nahy ʿan al-munkar* (cf. above, ch. 10, note 115).

and killing cannot simply be extrapolated from that of commanding and forbidding (a line of argument later revived in the account of Taqī al-Qummī).²³⁷ In the next century the moderate Akhbārī Muḥsin al-Fayḍ (d. 1091/1680) remarks impatiently that the issue is a waste of time. Anyone who satisfies the demanding preconditions for performing the duty will know best what to do in any given situation.²³⁸ With Kāshif al-Ghiṭā' (d. 1227/1812), a pupil of Biḥbahānī (d. 1206/1791f.), we have perhaps a tendency to shift the issue into the domain of the set punishments (*ḥudūd*).²³⁹

3. Reason and revelation

With regard to the question whether the duty can be grounded in reason as well as revelation, the later scholastic tradition is fairly conservative. The negative view of the great majority of the classical scholars, though at first under some pressure, regains its predominance;²⁴⁰ meanwhile the rationalist position has distinguished adherents down to the early Ṣafawid

²³⁷ Muqaddas, *Majma'*, 7:542.20, and cf. Taqī al-Qummī, *Mabānī*, 7:158.18.

²³⁸ Fayḍ, *Mafāṭīḥ*, 2:57.5 (*al-balḥṭh 'anhu qalīl al-jadwā, li-anna 'l-jāmi' lil-sharā'it adrā bi-mā yaqtaḍihī 'l-hāl*); Fayḍ, *Mahajja*, 4:108.13 (mentioning also that it is better (*awlā*) not to proceed to such measures). In his *Nukhbā*, by contrast, he requires that the judicial authority (*al-hākim*) be informed and give permission (110.9). The argument that one who satisfies the preconditions will know best harks back to the Imāmī tradition in which al-Ṣādiq confines *al-amr bi'l-ma'rūf* to strong and authoritative persons who know right from wrong (see above, note 30). Fayḍ later uses the same argument from the same tradition to explain his decision to omit Ghazzālī's account of common wrongs (*Mahajja*, 4:112.1). One wonders why he should bother to give any account at all of *al-amr bi'l-ma'rūf*. Indeed, in a letter written in Persian in 1072/1661f. to a zealot in Māzandarān who wished to mobilise the state against Ṣūfis and Christians and to obtain from it a delegation of the office of censor (*amr al-ḥisba*), Fayḍ invokes only the reference to truce in the tradition (*zamān zamān-i ḥudna ast*, see M. T. Dānishpazhūh, 'Dāwarī-i Fayḍ-i Kāshānī miyān-i pārsā wa dānishmand', *Nashriyya-i Dānishkada-i Adabiyyāt-i Tabriz*, 9 (1336 sh.), 127.19). He goes on to tell the zealot that it will take him several wrongs to put a stop to one, that not everyone knows what is right and wrong (the zealot himself being a conspicuous example), and that it would be better for him to reform himself and his close companions, and forget anything more (*ibid.*, 128.7).

²³⁹ Kāshif al-Ghiṭā', *Kashf*, 420.21 (stating that escalation stops short of wounding and killing except in the context of the *ḥudūd* (*illā fi maqām al-ḥadd*)), and cf. *ibid.*, 420.38. Despite the fact that the execution of the *ḥudūd* is regularly taken up immediately after the end of the discussion of *al-amr bi'l-ma'rūf*, it is rare for earlier authors to bring the *ḥudūd* into their analysis of *al-amr bi'l-ma'rūf* (for an analogy drawn by Karakī, see above, note 234; for a contrast drawn between them, see Muqaddas, *Majma'*, 7:543.13).

²⁴⁰ Revelationist positions are adopted more or less strongly by the following: Fakhr al-Muḥaqqiqīn (*Īdāh*, 1:398.15); Abū 'l-Maḥāsīn al-Jurjānī (*Jilā' al-adhbān*, 2:99.16 (to Q3:104)); Karakī (*Jāmi'*, 3:485.17, with some caution); Kāshānī (*Manhaj*, 2:294.1 (to Q3:104), with a classical exception); Muqaddas al-Ardabīlī (*Majma'*, 7:530.11, and cf. his *Zubdat al-bayān*, ed. M. B. al-Bihbūdī, Tehran n.d., 321.18); Bahā' al-Dīn al-Āmilī (*Jāmi'*, 146.12); Jawād al-Kāzīmī (*Masālik*, 2:374.7, with the same classical exception); Najafī (*Jawāhir*, 21:358.6).

period,²⁴¹ but thereafter pretty much drops out.²⁴² The Akhbārī scholars scarcely discuss the question.²⁴³ With regard to argumentation, the later scholars are for the most part content to repeat the arguments of the classical sources,²⁴⁴ though here and there new twists emerge.²⁴⁵ Only the approach of Muqaddas al-Ardabīlī smacks of radicalism. He declares the discussion to be of no consequence, and leaves aside the arguments of his predecessors, on the ground that the whole issue is academic. Since we now know our duty from revelation, it is pointless to inquire whether or not we could have known it in its absence.²⁴⁶

4. *The doctrine of divisibility*

The classical scholars had never quite articulated the dilemma they faced with regard to the question of the divisibility of right and wrong. The need for a tidy and comprehensive doctrine called for a certain symmetry: since there was a category of supererogatory right (*mandūb*) which it was supererogatory to command, it seemed appropriate to match it with a category of low-grade wrong (*makrūh*) which it was supererogatory to abstain from, and by the same token supererogatory to forbid. Yet this logic came to grief on the accepted meanings of the words: 'right' (*ma^ʿrūf*) was wide enough to include both the obligatory and the supererogatory, whereas 'wrong' (*munkar*) was a narrower term, covering only the forbidden.

²⁴¹ It is maintained by al-Shahīd al-Awwal (*Durūs*, 2:47.6; *Lum^ʿa*, 46.6; *Qawā^ʿid*, 2:201.2, not derived from Qarāfī, and repeated in Miqdād, *Naqd*, 364.3); Miqdād al-Suyūrī (*Kanz*, 1:404.14); Ibn Tayy (*Durr*, 103.3); al-Shahīd al-Thānī (*Rawḍa*, 2:409.7); and Abū 'l-Faṭḥ al-Jurjānī (*Tafsīr*, 2:100.1). The positions of the two Shahīds are noted in Sachedina, *Just ruler*, 144.

²⁴² For an exception, see Kāshif al-Ghiṭā', *Kashf*, 419.31. For the adoption of the essence of the rationalist position by a contemporary scholar, see Husayn al-Nūrī al-Hamadānī, *al-Amr bi'l-ma^ʿrūf wa'l-nahy 'an al-munkar*, Tehran 1990, 61.10.

²⁴³ In his adaptation of Ghazzālī's *Ihyā'*, Fayḍ transcribes without comment a statement that includes, among the proofs that *al-amr bi'l-ma^ʿrūf* is obligatory, *ishārāt al-ʿuqūl al-salīma* (*Mahajja*, 4:96.8, from Ghazzālī, *Ihyā'*, 2:281.9). The absence of Akhbārī discussion of the point was drawn to my attention by Shohreh Gholsorkhi.

²⁴⁴ For the two most-repeated arguments, see above, note 122.

²⁴⁵ On behalf of Tūsī, Miqdād produces an unusual riposte to the old argument from divine liability (*Irshād*, 384.3, and cf. his *Tanqīh*, 1:592.16). Karakī makes the point that there does not have to be a general answer – the rationalist view could be true of some instances (*afṛād*) of right or wrong but not of all (*Jāmi^ʿ*, 3:485.15, and cf. Muqaddas, *Majma^ʿ*, 7:530.20, implausibly reading such a position into al-Shahīd al-Awwal, *Durūs*, 2:47.6). Muqaddas al-Ardabīlī also mounts some subtle and, I think, new arguments to show that reason cannot be relied on to discern the entire duty (*Majma^ʿ*, 7:530.11). Kāshif al-Ghiṭā' comes up with some typically idiosyncratic reasons why the duty should be rationally binding (*Kashf*, 419.32).

²⁴⁶ Muqaddas, *Majma^ʿ*, 7:530.3. He then goes on to give the arguments of his own mentioned in the previous note.

In the post-classical period this dilemma becomes explicit.²⁴⁷ Doubtless connected to this is a major shift in alignment: whereas in the classical period only Abū 'l-Ṣalāḥ and Ibn Ḥamza had given play to the pull of symmetry, this is now the rule,²⁴⁸ and those who continue to ignore symmetry in the classical manner are in a minority.²⁴⁹ There is, however, less consensus as to how this shift is to be validated. Some take the bull by the horns, or at least toy with the idea of doing so, and consider redefining 'wrong' (*munkar*) to include both the forbidden and the merely disapproved.²⁵⁰ One scholar finds a place for forbidding the disapproved under the wing of commanding the supererogatory.²⁵¹ A Sunnī idea that is introduced but makes little headway places it under the very different rubric of 'helping one another to piety and godfearing' (*al-ta'āwun 'alā 'l-birr wa'l-taḳwā*, cf. Q5:2).²⁵² Many are content not to confront the problem at all.

The only other point of note is the late appearance of the suggestion that, but for the consensus to the contrary, commanding the supererogatory and

²⁴⁷ Miqdād, *Tanqīḥ*, 1:592.21; Muqaddas, *Majma'*, 7:529.6.

²⁴⁸ See al-Shahīd al-Awwal, *Durūs*, 2:47.8; al-Shahīd al-Awwal, *Lum'a*, 46.6; al-Shahīd al-Awwal, *Qawā'id*, 2:205.8 (based on Qarāfī (d. 684/1285), *Furūq*, Cairo 1344–6, 4:257.15, and repeated in Miqdād, *Naḍd*, 267.5); Miqdād, *Tanqīḥ*, 1:593.5; Miqdād, *Kanz*, 1:407.15 (whence Kāshānī, *Manhaj*, 2:295.6 (to Q3:104)); Ibn Tayy, *Durr*, 103.4; al-Shahīd al-Thānī, *Masālik*, 3:100.8 (but cf. his *Rawḍa*, 2:414.8); Abū 'l-Faṭḥ al-Jurjānī, *Tafsīr*, 2:97.11; Muqaddas, *Majma'*, 7:529.6; Bahā' al-Dīn, *Jāmi'*, 146.8; Jawād al-Kāzīmī, *Masālik*, 2:374.9; Fayḍ, *Nukhba*, 109.18 (contrast his works cited in the following note); al-Ḥurr al-ʿĀmilī (d. 1104/1693), *Bidāyat al-bidāya*, ed. M. ʿA. al-Anṣārī, n.p. n.d., 2:59.12; Kāshif al-Ghiṭā', *Kashf*, 419.31; Najafī, *Jawāhir*, 21:357.16, 365.19 (quoting and approving the view of Abū 'l-Ṣalāḥ); Muḥsin al-Amīn, *Sharḥ Taḥṣīrat al-muta'allimīn*, 95.18; Khwānsārī, *Jāmi'*, 5:398.15, 399.8; Khumaynī, *Tahrīr*, 1:463 no. 1.

²⁴⁹ Miqdād, *Irshād*, 380.12 (in contrast to his works cited in the previous note); Karakī, *Jāmi'*, 3:485.20 (dismissing those who would divide *munkar* on the grounds that its plain sense (*al-mutabādir min al-munkar*) goes against this); Fayḍ, *Mafātīḥ*, 2:54.15; Fayḍ, *Maḥajja*, 4:106.12; Aḥmad al-Jazā'irī, *Qalā'id*, 2:201.23 (but cf. the alternative suggestion mentioned *ibid.*, 202.2).

²⁵⁰ Thus Muqaddas al-Ardabīlī remarks that it would be best (*al-aḥsan*) to apply the term *munkar* in a wider sense to include the disapproved (compare Abū 'l-Faṭḥ al-Jurjānī, *Tafsīr*, 2:97.11), but that most scholars do not do this on semantic grounds which he considers trivial (*ḥayyīn*) (*Majma'*, 7:529.6). Jawād al-Kāzīmī mentions the widening of the sense of *munkar* as an option (*Masālik*, 2:374.11), and Aḥmad al-Jazā'irī reports the idea (*Qalā'id*, 2:202.2). Najafī refers to it in one passage (*Jawāhir*, 21:357.11, noting the semantic objection), and in another states that but for conventional usage (*iṣṭilāḥ*), one could divide wrong in the manner of Ibn Ḥamza (*ibid.*, 365.14, again mentioning the semantic problem). Khwānsārī introduces the idea as an option (*Jāmi'*, 5:398.16), and soon after says that there can be no doubt about it (*ibid.*, 399.8). The alternative course for restoring symmetry – to redefine *ma'rūf* to include only the obligatory – finds no takers (cf. Jawād al-Kāzīmī, *Masālik*, 2:374.10, and al-Shahīd al-Thānī, *Rawḍa*, 2:414.3).

²⁵¹ See al-Shahīd al-Thānī, *Masālik*, 3:100.12 (with the remark that this is the best view (*al-awlā*)); cf. Najafī, *Jawāhir*, 21:357.14, 363.3).

²⁵² See al-Shahīd al-Awwal, *Qawā'id*, 2:205.10, taken from Qarāfī, *Furūq*, 4:257.16, and repeated in Miqdād, *Naḍd*, 267.7.

forbidding the disapproved might themselves be obligatory, despite the status of the conduct being commanded or forbidden.²⁵³

5. *Individual or collective?*

We left the classical scholars inclined to the view that the duty of forbidding wrong is a collective one, with some opposition arising from Ṭūsī’s unusual but influential espousal of the contrary position. Overall this balance is continued among the later scholars, though the appeal of Ṭūsī’s view seems gradually to have diminished. The great majority thus opt for the collective view, whether firmly or with reservations.²⁵⁴ By contrast, few scholars take up a clear position in favour of the individual view,²⁵⁵ and the only jurist of note among them is Karakī (d. 940/1534).²⁵⁶ Yet this

²⁵³ Najafī, *Jawāhir*, 21:363.16 (referring only to *al-amr bi’l-ma‘rūf*); Khwānsārī, *Jāmi‘*, 5:399.11, 408.12. This is a challenge to the heritage of Abū ‘Alī al-Jubbā‘ī (d. 303/916) (see above, ch. 9, note 27).

²⁵⁴ See al-Shahīd al-Awwal, *Lum‘a*, 46.6; al-Shahīd al-Awwal, *Qawā‘id*, 2:201.2 (not derived from Qarāfī, and repeated in Miqdād, *Naḍd*, 264.3); al-Shahīd al-Thānī, *Masālik*, 3:100.18; al-Shahīd al-Thānī, *Rawḍa*, 2:413.7; Abū ‘l-Faṭḥ al-Jurjānī, *Tafsīr*, 2:101.1 (and compare *ibid.*, 104.7, on Q3:104, but contrast *ibid.*, 103.8, on Q3:110); Kāshānī, *Manhaj*, 2:293.7 (to Q3:104); Muqaddas, *Majma‘*, 7:534.4; Muqaddas, *Zubda*, 321.17; Bahā’ al-Dīn, *Arba‘in*, 105.20 (cf. below, note 258); Jawād al-Kāzīmī, *Masālik*, 2:372.13 (on Q3:104; but later he remarks that the dispute is tantamount to a verbal one, *ibid.*, 373.13); Sabzawārī, *Kifāya*, 81.39; Fayḍ, *Mafāriḥ*, 2:55.17; Fayḍ, *Maḥajja*, 4:106.21 (and see *ibid.*, 96.13, repeating Ghazzālī’s espousal of the collective view at *Ihyā’*, 2:281.12); Kāshif al-Ghiṭā’, *Kashf*, 420.11; Mīrzā-yi Qummī, *Jāmi‘*, 1:418.11; Najafī, *Jawāhir*, 21:362.6 (taking a firm line only on performance by hand); Khumaynī, *Tahḍīr*, 1:463f. no. 2 (the ramifications and qualifications in nos. 3–7 do not affect the principle); Khū‘ī, *Minhaj*, 7:138.7, question 1; Taqī al-Qummī, *Mabānī*, 7:140.15, 141.13.

²⁵⁵ Fakhr al-Muḥaqqiqīn knows his own mind, for he tells us that of the two views, it is ‘the latter’ (*al-akhīr*) that in his opinion is the stronger (*Idāh*, 1:398.20). Unfortunately this is ambiguous: ‘the latter’ is the individual view if he is still thinking of the statement of the ‘Allāma on which he is commenting (cf. *ibid.*, 397.16), but it is the collective view if he is referring to his own immediately preceding statement (*ibid.*, 398.17). The first seems more likely, making him an individualist, as is Ibn Tayy (Durr, 103.3). Abū ‘l-Maḥāsīn al-Jurjānī firmly identifies with the view that the duty is an individual one (*Jilā’ al-adhbān*, 2:99.15 (to Q3:104)), and it is likewise endorsed by Aḥmad al-Jazā‘irī (*Qalā‘id*, 2:201.15, 201.21). The fact that both these works are Koran-centred renders them somewhat separate from the mainstream of legal thought. Miqdād, incidentally, is notably evasive: he either fails to express a view of his own (as in the *Irshād*, *Tanqīḥ* and *Nāfi‘*), or suggests both (*Kanz*, 1:406.8 (to Q3:110), 406.19 (to Q3:104)); the one exception is the *Naḍd*, where he is transcribing al-Shahīd al-Awwal’s *Qawā‘id* (see above, note 254).

²⁵⁶ Karakī, *Jāmi‘*, 3:485.10. The same view is implicit in his commentary to Muḥaqqiq, *Sharā‘i‘*, 1:341.9. The Muḥaqqiq had begun by saying that the duty is collective, being voided when a suitable person undertakes it (*yasqūṭ bi-ḡiyām man fīhi kifāya*); Karakī comments that the more correct view is that (in addition) the offender must desist (*al-aṣaḥḥ: wa’l-iglā‘*), and he makes it clear in what follows that this renders the obligation an individual one (*Fawā‘id*, f. 138a.12). A contemporary scholar holds the duty to be individual in some contexts and collective in others (Nūrī, *Amr*, 62.10).

appearance of conservatism is misleading. What it conceals is a remarkable evolution in the clarity and sophistication with which the issue is presented. For the first time in this discussion, we learn what is actually at stake.

We can conveniently begin with a helpfully concrete illustration in a work of Bahā' al-Dīn al-ʿĀmilī. Let us suppose that we have in town a man who fails to pray and drinks wine. Assume further that in the town there are ten men each of whom thinks he might successfully undertake the duty. Now imagine that we are at the stage at which one of them has just undertaken the righting of the wrong; he can be expected to succeed, but his success still lies in the future. In this situation has the duty lapsed for the other nine? Or is it their duty to join him in the effort until such time as success is actually achieved?²⁵⁷ Bahā' al-Dīn finds it plausible to say that, unless the nine think that their participation would be efficacious in expediting matters, they no longer have an obligation; accordingly he would describe the duty as a collective one. If, however, one takes the view that they still have an obligation to join in, then the duty is individual.²⁵⁸ In other words, we can think in terms of three phases. In the first phase, there is a wrong which no one has yet undertaken to put right; here everyone who satisfies the conditions is obligated, and if no one steps forward, then all are at fault. In this phase it is of no practical significance whether one calls the duty individual or collective. Now we come to the second phase, in which there is a wrong and someone who has undertaken to put it right; he can be expected to succeed, and (let us further assume) the participation of others would not help to achieve this any faster. In this phase, the individualist holds that the rest are still obligated, whereas the collectivist holds that they are not. In the third phase the wrong has been put right (or, perhaps, it has emerged that it cannot be put right by means that satisfy the conditions); in this phase, obviously, no one is obligated, and once again it makes no difference how one categorises the duty. Only in the interval between the first man's initiative and the actual achievement of success is there any practical difference between the two views.

Bahā' al-Dīn was not himself an inventor, merely an effective populariser. The elements of the analysis are older than his day,²⁵⁹ and indeed go back to Ibn al-Barrāj and the classical scholars.²⁶⁰ It is, however, in the works of al-Shahīd al-Thānī that the analysis is first clearly set out.²⁶¹ Thereafter it

²⁵⁷ Bahā' al-Dīn, *Arbaʿīn*, 104.19.

²⁵⁸ *Ibid.*, 105.17; and cf. Bahā' al-Dīn, *Jāmiʿ*, 146.13, where he favours this latter view.

²⁵⁹ See al-Shahīd al-Awwal, *Ghāyat al-murād*, 1:507.6, whence Miqdād, *Kanz*, 1:406.9 (and cf. Miqdād, *Irshād*, 385.9); Karakī, *Jāmiʿ*, 3:485.10; Karakī, *Fawāʿid*, f. 138a.12.

²⁶⁰ See above, note 162, for the rather clumsy compromise put forward by Ibn al-Barrāj.

²⁶¹ See al-Shahīd al-Thānī, *Masālik*, 3:101.6; al-Shahīd al-Thānī, *Rawḍa*, 2:413.9.

belongs to the mainstream.²⁶² Further sophistication is brought to it by Muqaddas al-Ardabīlī, who argues that the puzzle lies less in the substantive law of forbidding wrong than in the general concept of a collective obligation.²⁶³

6. *The conditions of obligation*

By and large, the later scholars follow the schemas of conditions devised by the classical scholars. Those who are commenting on earlier works accept the lists they find there without protest.²⁶⁴ Those who write independently usually give lists that agree with the standard four-condition schema used by the Muḥaqqiq and the ʿAllāma,²⁶⁵ with occasional variation in the order of the conditions;²⁶⁶ the three-condition schema is also found, but it is rarer.²⁶⁷ A few scholars make limited additions to the four-condition schema: al-Shahīd al-Awwal (d. 786/1384) adds two conditions,²⁶⁸ while

²⁶² Kāshānī, *Manhaj*, 2:293.17 (to Q3:104); Muqaddas, *Majmaʿ*, 7:531.17, 532.8; Fayḍ, *Mafātīḥ*, 2:56.4; Fayḍ, *Maḥajja*, 4:107.5 (and cf. his *Nukbba*, 110.2); Mīrzā-yi Qummī, *Jāmiʿ*, 1:418.14; Najafī, *Jawāhir*, 21:362.1, 362.14. Jawād al-Kāzīmī's remark that the dispute is pretty much verbal (*ka'l-lafẓi*, *Masālik*, 2:373.13) misses the point that it does in fact have practical consequences (*lahu thamara*, as Muqaddas al-Ardabīlī puts it, *Majmaʿ*, 7:531.8).

²⁶³ *Ibid.*, 532.4, 532.17, and cf. 534.10; similarly Najafī, *Jawāhir*, 21:362.22. The only other development of note in the argumentation is the appearance of the idea that what Najafī calls 'continuing practice' (*al-sira al-mustamirra*) indicates the duty to be collective (Muqaddas, *Majmaʿ*, 7:533.10; Najafī, *Jawāhir*, 21:362.9, and cf. *ibid.*, 362.17; Taqī al-Qummī, *Mabānī*, 7:144.17).

²⁶⁴ In the only case where an author makes a substantial change to a text he is following, this text is a Mālikī one. Qarāfī (*Furūq*, 4:255.18) had set out a three-condition schema of a well-known Mālikī kind (see below, ch. 14, note 121). Here al-Shahīd al-Awwal gives Qarāfī's three conditions with a gratuitous change of order, placing absence of harmful consequences (*mafsada*) first (*Qawāʿid*, 2:201.7); he then adds as a further condition absence of danger to the performer of the duty (*ibid.*, 202.7, cf. Qarāfī's further discussion of *mafsada*, *Furūq*, 257.17), while remarking that this could be covered by his first condition. As usual, Miqdād follows the Shahīd (*Naḍd*, 264.7).

²⁶⁵ Bahā' al-Dīn, *Jāmiʿ*, 146.14 (leaving aside his first condition, for which see below, note 268); Sabzawāri, *Kifāya*, 82.1; Fayḍ, *Mafātīḥ*, 2:54.17; Fayḍ, *Maḥajja*, 4:106.14; Fayḍ, *Nukbba*, 110.1; Aḥmad al-Jazā'irī, *Qalāʿid*, 2:202.3; Mīrzā-yi Qummī, *Jāmiʿ*, 1:419.4; Khumaynī, *Tahṭir*, 1:465.19, 467.9, 470.4, 472.1.

²⁶⁶ See al-Shahīd al-Awwal, *Lumʿa*, 46.7; Ibn Tayy, *Durr*, 103.6; Miqdād, *Kanz*, 1:405.1; Bahā' al-Dīn, *Arbaʿin*, 106.8.

²⁶⁷ Kāshānī, *Manhaj*, 294.2 (to Q3:104); Hurr al-ʿĀmilī, *Bidāya*, 2:59.3.

²⁶⁸ He begins by stipulating that *taklīf* is a condition, which it obviously is (cf. Najafī, *Jawāhir*, 21:374.8; he is followed in this by Bahā' al-Dīn (*Jāmiʿ*, 146.15)); and he ends by making it a condition (according to the stronger view) that no one else is thought to be undertaking the duty in one's place (*'adam zann qiyām al-ghayr maqāmahu*) (*Durūs*, 2:47.2). The formulation of the persistence condition is similar to that given by the ʿAllāma in *al-Bāb al-ḥādī ʿashar* (see above, note 182). The six conditions are introduced as conditions of obligation, but at the end the Shahīd remarks that some of them are conditions of permissibility (*jawāz*). None of this is found in the account the Shahīd gives in his *Lumʿa* (see above, note 266).

Khū'ī adds one.²⁶⁹ Only Kāshif al-Ghiṭā' departs entirely from the classical tradition, producing an untidy collection of no fewer than fourteen conditions.²⁷⁰ At the same time there is little change in the mainstream with regard to the wording of the individual conditions. One innovation is that from the early Ṣafawid period honour (ʿird) is included alongside person and property in the danger condition.²⁷¹

In scholastic terms, the main development lies rather in the more systematic handling of two subsidiary questions that arise with all or most of the conditions. The first is what degree of certainty is required to satisfy the various conditions; the second is whether, when a given condition is not satisfied, it is still permissible to proceed.

For the first question a brief indication of the overall weight of scholarly opinion will suffice. With regard to the knowledge condition, the issue is scarcely raised.²⁷² With regard to the efficacy condition, the tendency is to make the condition easily satisfied: as the standard classical wording (*tajwīz al-ta'thīr*) might suggest, a possibility of success is generally – though not always – taken as a sufficient basis for obligation.²⁷³ With regard to the other two conditions, by contrast, the tendency is to render them easily voided. For the persistence condition the tendency of the classical wording is again sustained: a mere sign that the offence will not be continued or repeated is often considered enough for the duty to

²⁶⁹ Khū'ī's fourth condition is that the law should be actually binding (*munajjaz*) on the supposed offender in respect of his offence, in other words that he should not have a good excuse (*ma'dhūr*) for his action or omission (Khū'ī, *Minhāj*, 7:149.7; cf. Khumaynī, *Tahrīr*, 1:475 nos. 22f.). This condition voids the obligation in cases of disagreement among the jurists.

²⁷⁰ Kāshif al-Ghiṭā', *Kashf*, 420.11. Here conditions (2), (3), (5) (perhaps with (4), (9), (10) and (13)) and (7) are close to the standard four, while (1) and (6) are the added conditions of the *Durūs* (see above, note 268). Of the rest, (8) seems redundant since he holds the duty to be collective; (11) is that the offender must understand the meaning of the command; (12) relates to duties which, like prayer, are tied to a specific time-frame; (14) is that the offender must be someone whom one is permitted to look at and touch, though arguably this would be covered by the classical *mafsada* condition. Incidentally, Kāshif al-Ghiṭā' is one of the few scholars to bring *al-amr bi'l-ma'rūf* into relation with *taqīyya* (*ibid.*, 420.11, and 420.13, condition (4); cf. above, notes 34, 211, and the apt observations of Madelung, 'Amr be ma'rūf', 995af.).

²⁷¹ See al-Shahīd al-Thānī, *Rawḍa*, 2:415.5; Bahā' al-Dīn, *Arba'in*, 106.14; Najafī, *Jawāhir*, 21:371.12; Khwānsārī, *Jāmi'*, 5:404.16; Khumaynī, *Tahrīr*, 1:472 no. 1; Khū'ī, *Minhāj*, 7:150.6. ²⁷² But see al-Shahīd al-Thānī, *Rawḍa*, 2:415.1.

²⁷³ See particularly al-Shahīd al-Awwal, *Durūs*, 2:47.3 (formulating the condition as *imkān al-ta'thīr*), and al-Shahīd al-Thānī, *Masālik*, 3:102.10 (endorsing this view); also al-Shahīd al-Thānī, *Rawḍa*, 2:415.6, 416.1; Muqaddas, *Majma'*, 7:536.18 (cf. also *ibid.*, 539.14, and Muqaddas, *Zubda*, 353.21); Sabzawārī, *Kifāya*, 82.2 (inclining towards a more restrictive view); Mīrzā-yi Qummī, *Jāmi'*, 1:417.11 no. 490 (taking a similar view); Najafī, *Jawāhir*, 21:368.7 (worrying over the more restrictive wording of the Muḥaqqiq, for which see above, note 181); Khumaynī, *Tahrīr*, 1:467.9, and no. 1.

lapse.²⁷⁴ Likewise for the danger condition the usual view is that the mere supposition (*ẓann*) of untoward consequences suffices to void the duty.²⁷⁵

Turning to the second question, the conditions fall into two groups. On the one hand there is the efficacy condition: just as this condition is easily satisfied, so also its voiding leaves one free to proceed.²⁷⁶ On the other hand we have the conditions where the usual view is that voiding renders it forbidden to proceed. This is the case with the knowledge condition (in so far as it is discussed in this context),²⁷⁷ the persistence condition,²⁷⁸ and, with occasional qualification, the danger condition.²⁷⁹ The qualification usually takes the form that it is permissible to proceed in the case of bearable loss, particularly to property.²⁸⁰

Sometimes, however, the qualifications begin to erode the condition itself. Before modern times, this is scarcely encountered. In a way this is surprising, since the long activist tradition had condemned those who perform the duty only when safe (*idhā aminū ‘l-ḍarar*).²⁸¹ But this had been largely ignored by the scholars, despite its direct contradiction of

²⁷⁴ For discussions of the question see, for example, al-Shahīd al-Thānī, *Masālik*, 3:102.22 (expressing some doubt); Muqaddas, *Majma‘*, 7:537.17; Najafī, *Jawābir*, 21:370.14; Khumaynī, *Tahrīr*, 1:470 no. 2; Khū‘ī, *Minhāj*, 7:148.2. Mīrzā-yi Qummī is asked whether one may construe the conduct of Muslims as licit even when this is barely plausible (*Jāmi‘*, 1:417.7 no. 490), and replies that in such cases one should proceed with the duty, but not forbid the conduct in question categorically (*ibid.*, 417.13).

²⁷⁵ See al-Shahīd al-Awwal, *Durūs*, 2:47.12; al-Shahīd al-Thānī, *Masālik*, 3:102.16; al-Shahīd al-Thānī, *Rawḍa*, 2:416.2; Mīrzā-yi Qummī, *Jāmi‘*, 1:417.11 no. 490; Najafī, *Jawābir*, 21:373.4; Khū‘ī, *Minhāj*, 7:151.1 (for the qualification that follows there, see below, ch. 18, notes 209f.).

²⁷⁶ See al-Shahīd al-Awwal, *Durūs*, 2:47.13; al-Shahīd al-Awwal, *Qawā‘id*, 2:202.5 (mentioning that it is also recommended; this derives from Qarāfī, *Furūq*, 4:256.1, and is repeated in Miqdād, *Nadd*, 264.15); al-Shahīd al-Thānī, *Masālik*, 3:102.18; al-Shahīd al-Thānī, *Rawḍa*, 2:416.3; Kāshif al-Ghiṭā’, *Kashf*, 420.13 (describing it as *sunna* to proceed; cf. also *ibid.*, 420.10).

²⁷⁷ See al-Shahīd al-Awwal, *Qawā‘id*, 2:202.2 (taken from Qarāfī, *Furūq*, 4:255.22, and repeated in Miqdād, *Nadd*, 264.12; Muqaddas, *Majma‘*, 7:539.8). Kāshif al-Ghiṭā’ takes the view that uncertainty (*iḥtimāl*) makes it a matter of *sunna* (rather than obligation) to proceed (*Kashf*, 420.13).

²⁷⁸ See al-Shahīd al-Awwal, *Durūs*, 2:47.14; al-Shahīd al-Thānī, *Masālik*, 3:103.11; Muqaddas, *Majma‘*, 7:539.8; Najafī, *Jawābir*, 21:370.3.

²⁷⁹ See al-Shahīd al-Awwal, *Durūs*, 2:47.13; al-Shahīd al-Awwal, *Qawā‘id*, 2:202.8 (not from Qarāfī, repeated in Miqdād, *Nadd*, 265.1); al-Shahīd al-Thānī, *Masālik*, 3:102.19; al-Shahīd al-Thānī, *Rawḍa*, 2:415.6, 416.3; Muqaddas, *Majma‘*, 7:539.8; Khumaynī, *Tahrīr*, 1:472 no. 4. The qualifications mentioned by some of these scholars will be taken up in the following notes. Mīrzā-yi Qummī is unusual in giving an account in which obligation turns on the principle that one must choose the lesser evil (*aqall-i qabīḥayn*), see *Jāmi‘*, 1:420.22.

²⁸⁰ So al-Shahīd al-Awwal, *Qawā‘id*, 2:202.8 (not taken from Qarāfī, and repeated in Miqdād, *Nadd*, 265.1); Muqaddas, *Majma‘*, 7:539.10; Khumaynī, *Tahrīr*, 1:472 nos. 4f. Cf. the view of Sallār among the classical jurists (see above, note 208, and cf. also note 211)).²⁸¹ See above, 256.

the danger condition.²⁸² Instead, we find a continuing rejection of flirtation with danger.²⁸³ Occasionally this is enlivened with explicit polemics against the Sunnī weakness for the temptations of heroism. Thus al-Shahīd al-Awwal, in adapting a work of the Mālikī Qarāfi (d. 684/1285), refutes his arguments on this question one by one.²⁸⁴ Likewise Muḥsin al-Fayḍ, in making his recension of Ghazzālī's *Revival of the religious sciences*, interrupts him to disallow rudeness (*al-takhsīb fī 'l-qawl*) to rulers,²⁸⁵ and again to discard his stories about Sunnīs (*ahl al-ḍalāl*) who courted death by confronting tyrants out of a hidden desire for status and popularity.²⁸⁶ Recent scholars, however, have moved sharply in the other direction.²⁸⁷

This new radicalism was, however, political rather than intellectual, and as such will not concern us in this chapter. There was no accompanying effort to redo the whole edifice of conditions. There were ancient doubts about the knowledge condition,²⁸⁸ and these continued.²⁸⁹ But beyond this the scholars showed little disposition to return to the drawing-board. The only radical account in intellectual terms is that of Taqī al-Qummī,

²⁸² Attempts to explain it away were made by Sabzawārī (*Kifāya*, 82.7), Hurr al-ʿĀmilī (*Wasā'il*, 6:1:402.5), and Najafī (*Jawābir*, 21:372.12). However, the four interpretations listed by Hurr al-ʿĀmilī include the duty to endure slight harm (*al-ḍarar al-yasīr*) and the virtue (*istihbāb*) of enduring great harm (*al-ḍarar al-aẓīm*); Najafī responds sceptically to this, and rules out the second altogether.

²⁸³ See the references given above, note 279.

²⁸⁴ Qarāfi had stated that some held it permissible to court danger to oneself, and gave their arguments, including of course the tradition about speaking out in the presence of an unjust ruler (*Furūq*, 4:257.17; for the tradition, see above, ch. 1, note 18); by the end of the presentation, it seems that Qarāfi is speaking in his own voice (*ibid.*, 258.8). For the Shahīd's responses to these arguments of the Sunnīs (*al-ʿamma*), see *Qawā'id*, 205.15, repeated in *Miqdād*, *Naqd*, 267.11. For the relationship between the two works, cf. above, esp. notes 221, 248, 252, 264, 276f.

²⁸⁵ Fayḍ, *Maḥajja*, 4:112.19; cf. Ghazzālī, *Ihyā'*, 2:314.8.

²⁸⁶ Fayḍ, *Maḥajja*, 4:113.2; cf. Ghazzālī, *Ihyā'*, 2:314.17. He does quote one story about a man who reproved the caliph al-Manṣūr (r. 136–58/754–75) after getting a guarantee of safety from him (*Maḥajja*, 4:113.7, from Ghazzālī, *Ihyā'*, 2:321.10); the man turned out to be Khaḍir (*Maḥajja*, 4:117.9, cf. Ghazzālī, *Ihyā'*, 323.8). Compare also Fayḍ's remark that a man who courts death by reproving those who hold political power is likely to be condemned to hell for his violation of the prohibition of suicide (Q2:195) (*Maḥajja*, 4:111.16, and cf. 113.4). ²⁸⁷ See below, ch. 18, 533–40.

²⁸⁸ Suppose I know (say from reliable witnesses) that someone is acting wrongly, but do not know just what it is that is wrong about his conduct; could it not be said that I am still obligated, but now have the added duty of first finding out what it is that is wrong? This argument first appears with Karakī (*Jāmi'*, 3:486.6; *Fawā'id*, f. 138a.17, whence Najafī, *Jawābir*, 21:366.12); it is taken up by al-Shahīd al-Thānī (*Masālik*, 3:101.18), and by Muqaddas al-Ardabīlī (*Majma'*, 7:535.16), who goes on to suggest a counter-argument. Najafī refutes the argument (*Jawābir*, 21:367.6). Cf. also below, ch. 18, 543.

²⁸⁹ Khwānsārī, *Jāmi'*, 5:403.1; Khū'i, *Minhāj*, 7:146.4 (where the words *wa-law ijmālan* take account of Karakī's argument); Taqī al-Qummī, *Mabānī*, 7:147.4 (rejecting the condition outright; and cf. *ibid.*, 146.20, on the duty to find out); and cf. Khumaynī, *Tahrīr*, 1:471 no. 12. I detect no political overtones in these discussions.

who rejects the knowledge and danger conditions,²⁹⁰ and has doubts about the efficacy condition.²⁹¹

There is not much else about the formulation of Imāmī doctrine in this period that needs attention. The classical practice of defining the key terms of the duty continues.²⁹² Here Miqdād al-Suyūrī correctly identifies one particular twist of definition as characteristic of Abū ‘l-Ḥusayn al-Baṣrī (d. 436/1044), as against the majority of the Mu‘tazila.²⁹³ At the same time the two topics mentioned above for their conspicuous absence or near-absence from classical discussions²⁹⁴ now appear: the question whether the sinner is obligated,²⁹⁵ and the problem of disagreements between scholars as to what is and is not wrong.²⁹⁶ These developments clearly reflect Sunnī influence,²⁹⁷ as does the occasional use of a terminology stemming from Ghazzālī in which terms normally associated with the role of the official censor (*ḥisba* and *ih̥tisāb*) appear as synonyms for forbidding wrong.²⁹⁸

²⁹⁰ See the preceding note, and below, ch. 18, note 210.

²⁹¹ See Taqī al-Qummī, *Mabānī*, 7:148.13.

²⁹² Miqdād, *Irshād*, 381.12–383.4; Miqdād, *Kanz*, 1:404.12; Miqdād, *Nāfi‘*, 128.1; Ibn Fahd al-Ḥillī (d. 841/1437f.), *al-Muḥadhdhab al-bārī‘*, ed. M. al-‘Arāqī, Qumm 1407–13, 2:321.12; al-Shahīd al-Thānī, *Masālik*, 3:99.7; Abū ‘l-Faṭḥ al-Jurjānī, *Tafsīr*, 2:97.4; Kāshānī, *Manhaj*, 2:293.2 (to Q3:104); Bahā’ al-Dīn, *Arba‘in*, 104.3; Najafī, *Jawāhir*, 21:356.10; Khwānsārī, *Jāmi‘*, 5:398.10.

²⁹³ The feature in question is the insistence on *isti‘lā’* as opposed to plain *‘uluww* in the definition of *amr* (Miqdād, *Irshād*, 381.18, and cf. his *Kanz*, 1:404.12, and his *Nāfi‘*, 128.1). This is found in all the works of the ‘Allāma in which he offers a definition of the term (for references, see above, note 214). The term *isti‘lā’* does indeed appear in Abū ‘l-Ḥusayn al-Baṣrī’s definition of *amr* (*al-Mu‘tamad fī uṣūl al-fiqh*, ed. M. Hamidullah, Damascus 1964–5, 49.19). Cf. also Yahyā ibn Ḥamza, *Shamīl*, f. 181b.9.

²⁹⁴ See above, 281f.

²⁹⁵ Miqdād, *Kanz*, 1:408.5, whence Kāshānī, *Manhaj*, 2:295.15 (to Q3:104); Bahā’ al-Dīn, *Arba‘in*, 107.15 (with his own view at 108.5); Jawād al-Kāzīmī, *Masālik*, 2:375.3; Fayḍ, *Maḥfūṭih*, 2:55.5; Aḥmad al-Jazā‘irī, *Qalā‘id*, 2:203.7; Najafī, *Jawāhir*, 21:373.5, 374.4; Khwānsārī, *Jāmi‘*, 5:406.9 (from the *Jawāhir*), 407.5 (offering an opinion of his own); Khumaynī, *Tahṭir*, 1:475 no. 20; Taqī al-Qummī, *Mabānī*, 7:152.13, 154.6. Aḥmad al-Jazā‘irī is alone in dismissing the view that the sinner is obligated (*lā yakhḥfā mā fihī*).

²⁹⁶ The standard Sunnī restriction of the duty in connection with matters on which the law-schools differ makes an appearance in al-Shahīd al-Awwal’s recension of the *Furūq* of the Mālikī Qarāfī (al-Shahīd al-Awwal, *Qawā‘id*, 2:201.11, reflecting Qarāfī, *Furūq*, 4:257.7, and repeated in Miqdād, *Naḍd*, 264.10). Mīrzā-yi Qummī enlarges on the principle, giving examples of a familiar kind: one is grape-juice which has been boiled, but not until the loss of two-thirds of its volume, and the other is the use of tambourines by women at weddings (*Jāmi‘*, 1:419.6). Though later endorsed by Khumaynī (*Tahṭir*, 1:466 no. 2, and cf. *ibid.*, 476 no. 24), this principle never becomes a regular part of the discussion of *al-amr bi‘l-ma‘rūf*. Cf. also above, note 269.

²⁹⁷ Likewise the only appearance of the question of the sinner that I have noted in a classical Imāmī text stems from Zamakhsharī (see above, note 216). The issue is domesticated in the Imāmī environment by bringing the infallible imam into the argument (so Bahā’ al-Dīn, *Arba‘in*, 108.12, followed by Fayḍ, *Maḥfūṭih*, 2:55.11).

²⁹⁸ See al-Shahīd al-Awwal, *Durūs*, 2:47.1 (assuming the heading *kitāb al-ḥisba* to be his);

More interesting developments take place in the treatment accorded to Imāmī tradition. The classical scholars had, of course, quoted traditions in their accounts of forbidding wrong, sometimes in considerable numbers.²⁹⁹ But they had not made it their business to argue closely from them; and perhaps for this reason, they had shown no interest in the reliability of their transmission. This remains true down to the early Ṣafawid period. The first indication that something has changed is the frequency with which Muqaddas al-Ardabīlī uses traditions to argue for specific points of doctrine.³⁰⁰ He makes particularly effective use of the tradition from Jaʿfar al-Ṣādiq on the strong who can expect obedience, finding in it authority for three of the four conditions.³⁰¹ In this he is followed more or less closely by Bahāʾ al-Dīn al-ʿĀmilī³⁰² and Muḥsin al-Fayḍ.³⁰³ Subsequently Majlisī in his commentaries on the traditions collected by Kulaynī and Ṭūsī indicates the transmission-status of the individual traditions;³⁰⁴ Aḥmad al-Jazāʾirī (d. 1151/1738f.) then uses such information to set aside the tradition about the strong.³⁰⁵ These trends leave their mark on subsequent scholarship. Thus Najafī gives space to interpreting awkward traditions,³⁰⁶ while

Kāshānī, *Manhaj*, 2:305.23 (to Q3:114; there is a parallel in Fayḍ, *Ṣāfi*, 1:344.4); Bahāʾ al-Dīn, *Arbaʿīn*, 104.15, 106.16, 108.14 (whence doubtless Fayḍ, *Mafātīḥ*, 2:55.12); Fayḍ, *Mahajja*, 4:110.13, 112.2; and cf. Fayḍ, *Nukhba*, 108.7, and Fayḍ, *Wāfi*, 9:6.2, where *kitāb al-ḥisba* appears as the heading of a book that includes the topics normally covered in the *kitāb al-jihād*; Muḥammad Mahdī al-Narāqī (d. 1209/1794f.), *Jāmiʿ al-saʿādāt*, ed. M. Kalāntar, Najaf 1963, 2:240.18 (and some fourteen instances in the following ten pages; these disappear in the Persian rendering of the work by his son, see Aḥmad Narāqī (d. 1245/1829), *Miʿrāj al-saʿāda*, Qumm 1371 sh., 515–21). As is clear from these references, the Ghazzālīan terminology entered the Imāmī tradition well before Muḥsin al-Fayḍ made his recension of the *Iḥyāʾ*. The innovative character of this usage was noted by Murtaḍā Muṭaḥḥarī (d. 1399/1979) (ʿAmr ba-maʿrūf wa nahy az munkarʾ, *Guftār-i māb*, 1 (1339–40 sh.), Tehran n.d., 79.11). Muṭaḥḥarī also cited an Imāmī lexicographer who defines *ḥisba* as *al-amr biʾl-maʿrūf* (Ṭurayḥī (d. 1085/1674f.), *Majmaʿ al-baḥrayn*, ed. A. al-Ḥusaynī, Najaf and Tehran 1381–95, 2:41a.17). For Ghazzālīʾs terminology, see below, ch. 16, 428f. ²⁹⁹ Cf. above, note 89.

³⁰⁰ Muqaddas, *Majmaʿ*, 7:539.7, 539.12, 541.13, 543.16, 544.17. Cf. Modarressi Tabātabāʾī, *Introduction*, 53.

³⁰¹ Muqaddas, *Majmaʿ*, 7:537.5. For this tradition, see above, 256f.

³⁰² Bahāʾ al-Dīn, *Arbaʿīn*, 106.15.

³⁰³ Fayḍ, *Mafātīḥ*, 2:56.14; Fayḍ, *Mahajja*, 4:107.18; and cf. the resonances of the same tradition, *ibid.*, 106.13, 112.2. The three-tradition schema of Ḥurr al-ʿĀmilī (*Bidāya*, 2:59.3) may belong in this lineage, though it could also reflect a classical model (cf. above, notes 183–5, 267).

³⁰⁴ Majlisī, *Miʿrāt*, 18:399–413; Majlisī, *Malādh*, 9:466–76. On this showing, the tradition about the strong is weak (*ḍaʿīf*; see Majlisī, *Miʿrāt*, 18:406.20, and his *Malādh*, 9:470.11), and the long activist tradition is flawed by an interrupted *isnād* (*mursal*; see Majlisī, *Miʿrāt*, 18:399.14, and his *Malādh*, 9:476.13). In general, the treatment is harsh: out of the twenty-one traditions of Ṭūsī which Majlisī categorises, only five have acceptable ratings.

³⁰⁵ Aḥmad al-Jazāʾirī, *Qalāʾid*, 2:201.14 (*ḍaʿf sanadīhā*).

³⁰⁶ Najafī, *Jawāhir*, 21:361.8 (connecting the tradition about the strong with the just imam), 372.12 (on *idhā aminū ʾl-ḍarar* in the long activist tradition). Compare Khwānsārī, *Jāmiʿ*, 5:405.11, 411.2.

Khwānsārī (d. 1405/1985) is aware of problems over the reliability of traditions, though he has no wish to exploit them.³⁰⁷ By contrast, the account of Taqī al-Qummī, with its characteristic iconoclasm, uses considerations of transmission to trash the bulk of the relevant traditions.³⁰⁸ I leave the politically tendentious treatment of traditions by some modern scholars to a later chapter.³⁰⁹

The background to most of these developments is obviously the Akhbārī controversy and its aftermath.³¹⁰ What is just as striking is the absence of any distinctive views on substantive questions among the scholars with Akhbārī sympathies.

Overall, what we see in this period of Imāmī scholasticism is increasing sophistication within a familiar, if somewhat eroded, classical framework³¹¹ – and this without benefit of any continuing contact with Mu‘tazilism. We have encountered numerous examples of this: the way the later scholars handle the tension between the escalatory and de-escalatory ordering of the modes; their exclusion of performance within the heart from the scope of forbidding wrong; their attack on the classical treatment of the first and second modes as an ordered set; their concern for symmetry in the analysis of the problem of the divisibility of right and wrong; the clarity with which they identify what is at issue between the individual and collective accounts of the duty; their more systematic treatment of the conditions with respect to the problems raised by uncertainty and the issue of the permissibility of proceeding when a condition is not satisfied. Indeed on occasion one has the sense that the later scholars are running rings around their less agile classical predecessors. Alongside this runs a new disposition (by no means confined to Akhbārī scholars) to take Imāmī tradition seriously, whether by arguing from its specific content or by testing its credentials of transmission.

So much for the lecture-room. What of the street? Over the bulk of the period considered here, there are few developments that can plausibly be

³⁰⁷ *Ibid.*, 402.7, and cf. 411.6.

³⁰⁸ See Taqī al-Qummī, *Mabānī*, 7:144.15 (setting aside the string of traditions he begins to quote *ibid.*, 141.15), and the repeated dismissals that appear subsequently (*ibid.*, 146–8, 151, 153–6). He makes no exception for the tradition about the strong (*ibid.*, 146.16, 147.10), nor for the long activist tradition (*ibid.*, 154.17), though this does not prevent him using these traditions to his advantage when it suits him (*ibid.*, 141.13, 151.10, and cf. 160.7). No tradition is at any stage in the argument pronounced sound.

³⁰⁹ See below, ch. 18, notes 227, 241.

³¹⁰ For the place in this controversy of Muḥsin al-Fayḍ, the Akhbārī who has been cited most in this section, see E. Kohlberg, ‘Aspects of Akhbārī thought in the seventeenth and eighteenth centuries’, in N. Levtzion and J. O. Voll (eds.), *Eighteenth-century renewal and reform in Islam*, Syracuse 1987, 136–46.

³¹¹ This reflects the general evolution of Imāmī law (see Modarressi Tabātabā’ī, *Introduction*, 50, 51, 56, 57).

seen as responses to changing real-world conditions. The virtual disappearance of the view that the imam's permission is not needed for serious violence – a view supported by no less an authority than the 'Allāma – could perhaps be correlated with the political establishment of Imāmism under the Ṣafawids (907–1135/1501–1722) and their successors. The emergence early in the Ṣafawid period of the idea that a suitably qualified jurist can nevertheless undertake such action is no doubt part of a changing view of clerical authority in Imāmī Shī'ism; but this innovation of Karakī's was largely ignored by his successors until Khumaynī. If we leave it aside, there is nothing in the development of the formal Imāmī doctrine of forbidding wrong that would suggest an enhancement of the authority of the clergy.³¹² All in all, this is a surprisingly meagre yield when we consider the extent of the changes that Imāmism was undergoing in this period, and the expression these found in doctrinal disputes in other fields.³¹³ As we found with Imāmī tradition, so also with the juristic thought of the Imāmīs: forbidding wrong is just not a particularly sensitive point in the interaction of Imāmī scholasticism with political and social realities.

Against this background, the last few decades appear as a period of dramatic change. On the intellectual side, the most interesting phenomenon is the attack on several hallowed features of the scholastic tradition represented by Taqī al-Qummī. As we have seen, his account rejects the inclusion of the non-verbal first and third modes within forbidding wrong, does considerable damage to the four conditions (rejecting two of them, while throwing doubt on a third), and savages most of the relevant Imāmī traditions. These intellectual pyrotechnics are not, however, associated with any discernible political agenda. The political shift of recent decades is to be found in the thought of scholars who in purely intellectual terms were far

³¹² Thus al-Ḥurr al-ʿĀmilī states that the duty must be performed by the elite vis-à-vis the masses, and vice versa (*Bidāya*, 2:59.6), while Khū'ī emphasises that it is not one confined to any one category (*ṣinḥ*) of people, but obligates scholars and laity alike (*Minhāj*, 7:152.4). That such formal doctrine may not tell the whole story is suggested by a response of Mīrzā-yi Qummī (*Jāmi'*, 1:422f. no. 493). The question concerns a person who has the capacity (*qābiliyyat*) for *al-amr bi'l-ma'rūf* and is learned, but fears that if he seeks clerical authority (*marja'iyat-i mardum*), this will have deleterious effects on his character; yet there is nobody else to undertake the role. The answer is that such a man should indeed choose pastoral care (*qaḍā-yi ḥawāyij-i 'ibād*) because of the importance of this work. The question takes it for granted that *al-amr bi'l-ma'rūf* is a characteristic of clerical authority (he may have in mind the implementation of the *ḥadd* punishments, though there is no explicit mention of them). We also find included here in the *kitāb al-amr bi'l-ma'rūf* two questions concerning clerical education which make no specific reference to the duty (*ibid.*, 424 no. 498 (*sic*), and 424f. no. 496).

³¹³ Cf. Madelung, 'Shiite discussions on the legality of the *kharāj*'; Modarressi Tabātabā'i, *Kharāj in Islamic law*, 47–59; and more generally, Calder, 'Legitimacy and accommodation in Safavid Iran'.

less radical; again, this political development will be taken up in a later chapter.³¹⁴

Overall, what is lacking in the Imāmī scholastic literature, classical and post-classical, is concrete and colourful detail. In Imāmī society, as elsewhere, there was more to forbidding wrong than dry scholastic doctrine. Thus the responsa of Mīrzā-yi Qummī (d. 1231/1815f.) deal with a variety of questions which the systematic accounts of the duty given by the Imāmī scholars do not consider. Is it a husband’s duty to command and forbid his wife?³¹⁵ Is it one’s duty to command right to one’s father in all modes, or should one distinguish between speaking gently, which is a duty, and speaking harshly, which is not?³¹⁶ What exactly counts as blameworthy singing for legal purposes, and what if elegies and scripture are recited with vocal tremor (*larzish*)?³¹⁷ Must compensation be paid for broken wine-jars?³¹⁸ Likewise Ṣafawid rulers, in their official attempts to execute the duty by curbing the pleasures of their delinquent subjects, had very specific notions of the wrongs they were seeking to right: wine-taverns, ale-houses, establishments that were the haunts of drug-addicts, story-tellers, prostitutes, and gamblers; pigeon-fancying; the shaving of beards; the playing of mandolins and other musical instruments; the pursuit of beardless youths, and the employment of such youths in bath-houses.³¹⁹ There is also biographical material. Thus Āghā Buzurg al-Ṭīhrānī (d. 1389/1970) in his biographies of scholars who died in the fourteenth/twentieth century makes occasional references to their zeal, steadfastness or courage in forbidding wrong.³²⁰ He describes them in much the same terms as we find

³¹⁴ See below, ch. 18, section 3.

³¹⁵ Mīrzā-yi Qummī, *Jāmi‘*, 1:417 no. 489. The answer is that it most certainly is; here the duty includes religious instruction. ³¹⁶ *Ibid.*, 424 no. 495. The distinction is correct.

³¹⁷ *Ibid.*, 418 no. 491. Tremor is not in itself singing.

³¹⁸ *Ibid.*, 423f. no. 494. The question is not directly answered.

³¹⁹ See the firman of Shāh Ṭahmāsp (r. 930–84/1524–76) published in R. Ja‘farīyān, *Dīn wa siyāsat dar dawra-i Ṣafawī*, Qumm 1370 sh., 434.17. For a similar list in another firman of the same ruler, see *ibid.*, 439.20 (mentioning also backgammon and *ta‘ziya*-performances). Matters had not changed much by the end of the Ṣafawid period, as is attested by the lists of evils found in two firmans of Shāh Sulṭān Ḥusayn (r. 1105–35/1694–1722) (*ibid.*, 442.11, 444.16), albeit a richer range of animal sports appears here (*ibid.*, 443.7, 445.8). These firmans were drawn to my attention by Kambiz Eslami. See also R. Ja‘farīyān, ‘Amr bah ma‘rūf wa nahy az munkar dar dawra-i Ṣafawī’, *Kayhān-i Andīsha*, 82 (1377 sh.).

³²⁰ Āghā Buzurg al-Ṭīhrānī (d. 1389/1970), *Nuqabā’ al-bashar fī ‘l-qarn al-rābi‘ ‘ashar* (in his *Tabaqāt al-‘ālam al-Shi‘a*), Najaf 1954–68, 19.14, 94.13, 201.10, 333.3, 337.8, 438.16, 502.14, 568.22, 882.5, 1212.5, 1325.19, 1377.11, 1434.1, 1435.9. Most of these scholars died in the first half of the century. He also notes two scholars who wrote epistles about *al-amr bi’l-ma‘rūf*, or in performance of the duty (*ibid.*, 212.3, 948.19). For a slightly earlier period, see, for example, Muḥammad Hasan Khān I‘timād al-Salṭana (d. 1313/1896), *Chihil sal-i tārikh-i Irān*, ed. I. Afshār, Tehran 1363–8 sh., 193.15, 207.6, 219.25, 774.3.

in Sunnī biographical writing; thus their willingness to court danger and suffer harm appears as a virtue.³²¹ But only for one scholar does he enlarge on general characterisation with anecdotal material.³²² Much more such evidence could doubtless be found. But these themes were not caught in the net of the traditional scholastic discussion of the duty. This discussion was in any case losing steam thanks to a tendency in the last phase of pre-modern Imāmī literature to omit from the law-book the entire treatment of holy war; since forbidding wrong was traditionally part of this treatment, it became an inadvertent casualty of this omission.³²³

5. EXCURSUS: THE ISMĀʿĪLĪS

At the core of Ismāʿīlism was a fusion of gnostic cosmological speculation with Islamic religious politics. The gnostic component, esoteric and anti-nomian, was hardly fertile soil for so exoteric and law-oriented a conception as forbidding wrong. The political component, however, inevitably committed the Ismāʿīlīs to having a concept of legitimate political authority, something pre-Islamic gnostics had no need for. At the same time, the esoteric core of Ismāʿīlī religion was at most times and places embedded in an exterior more in conformity with the prevailing Islamic environment; and this exoteric form of the religion could easily become the reality that many Ismāʿīlīs actually lived by. All this meant that forbidding wrong, though not central to Ismāʿīlī thought, was bound to feature in it.

³²¹ Āghā Buzurg, *Nuqabāʾ al-bashar*, 568.23 (*wa-law kāna fī dhālika khaṭar ʿalayhi*), 1377.12 (*lā yubālī bi-mā qad yatarattab ʿalā dhālika min maḍarr*); and cf. *ibid.*, 94.14, 333.4.

³²² *Ibid.*, 1377.19. This scholar, Shaykh Muḥammad ʿAlī al-Khurāsānī al-Najafī, died in 1383/1964, and his encounter with modernity is reflected in an anecdote about his rebuke of a barber who had to shave beards in order to make a living (*ibid.*, 1378.3; cf. below, ch. 18, note 28).

³²³ Cf. below, ch. 18, notes 200, 207; for the placing of *al-amr bi'l-ma'rūf* in the *kitāb al-jihād*, see above, note 2. Muḥammad Karīm Khān Kirmānī (d. 1288/1871), the founder of the Kirmānī branch of Shaykhism, notes the tendency of the jurists to omit the *kitāb al-jihād*, and gives as the reason the pointlessness of investigating the topics it covers (*Risāla dar jawāb-i su'ālāt-i Nizām al-'Ulamā'*, translated from the Arabic by Ḥusayn Āl-i Hāshimī, Kirmān n.d., 79.6). Particularly in the case of the Shaykhīs, there was a doctrinal basis for this omission in the deferment of (offensive) *jihād* until the return of the imam (see, for example, *ibid.*, 79.2, speaking of *ḥurmat-i jihād dar zamān-i ghaybat*; for the wider Imāmī background, see Kohlberg, 'Development', 79–86). Muḥammad Karīm Khān went so far as to extend this deferment to most cases of *al-amr bi'l-ma'rūf* (*Sī faṣl*, Kirmān 1368, 38.5: *dar bisyārī az jāhā sāqit ast tā zuhūr-i imām*). He nevertheless devoted a work to the legal aspects of *al-amr bi'l-ma'rūf* (see Abū 'l-Qāsim Khān Kirmānī (d. 1389/1969), *Fihrist*, Kirmān n.d., 2:221.14, on his unpublished *Nizām al-bashar*, and cf. the responsum mentioned *ibid.*, 246 item 4). Though he omitted the topic from his law-book (*ibid.*, 214.10), he covered it in his collection of traditions (*Faṣl al-khitāb*, Kirman 1392, 651–4, drawn to my attention by Etan Kohlberg).

In terms of Ismā‘īlī notions of political authority, forbidding wrong is in the first instance something done by imams. In 302/915, during the first Fāṭimid invasion of Egypt, the future caliph al-Qa‘im (r. 322–34/934–46) spoke in the mosque of Alexandria of the vicious morals of the rulers of the day, and averred that there had been no one to command right or forbid wrong until the appearance of ‘the meek and lowly ‘Abdallāh’, sc. ‘Ubaydallāh al-Mahdī (r. 297–322/909–34), the first Fāṭimid caliph.³²⁴ The caliph al-Mu‘izz (r. 341–65/953–75) speaks of the evil alcoholic, sexual and musical proclivities of his subjects, and of the mission God has conferred on ‘us’ (sc. the imams) to command right and forbid wrong among them.³²⁵ The Fāṭimid missionary (*dā‘ī*) Aḥmad ibn Ibrāhīm al-Naysābūrī (*fl.* later fourth/tenth century) refers both Q3:104 and Q3:110 to the imams.³²⁶ Perhaps the most famous, not to say notorious, attempt by a ruler to impose a puritan morality on his subjects was that of the Fāṭimid caliph al-Ḥākim (r. 386–411/996–1021);³²⁷ and as might be expected, there are indications that this was done under the aegis of forbidding wrong.³²⁸

The duty is likewise associated with the main representatives of the imam, the missionaries (*dā‘īs*). Abū ‘Abdallāh al-Shī‘ī (d. 298/911), who established the Fāṭimid state in North Africa, took action against liquor and all publicly visible wrongs after he had conquered Ifrīqiya;³²⁹ and in a reassuring letter sent out to neighbouring parts of the Islamic world, he described his career in North Africa as one of – among other things – commanding

³²⁴ S. M. Stern, *Studies in early Ismā‘īlism*, Jerusalem and Leiden 1983, 118.6.

³²⁵ Qāḍī Nu‘mān (d. 363/974), *al-Majālis wa’l-musāyārāt*, ed. Ḥ. al-Faqī *et al.*, Tunis 1978, 92.9 (I owe this reference to Sumaiya Hamdani). For other references to *al-amr bi’l-ma‘rūf* as a duty of imams, see *ibid.*, 137.20, 251.24. Failure to perform the duty was among the causes of Umayyad domination (*ibid.*, 93.2).

³²⁶ For Q3:104, see Aḥmad ibn Ibrāhīm al-Naysābūrī (*fl.* later fourth/tenth century), *al-Risāla al-mūjaza al-kāfiya fī adab al-du‘āt*, *apud* V. Klemm, *Die Mission des fātimidischen Agenten al-Mu‘ayyad fī d-dīn in Šīrāz*, Frankfurt am Main 1989, 266.6 (for Naysābūrī’s work, see *ibid.*, 65); for Q3:110, see his *Ithbāt al-imāma*, ed. M. Ghālib, Beirut 1984, 68.4 (for this work, see I. K. Poonawala, *Biobibliography of Ismā‘īlī literature*, Malibu 1977, 91f.). Cf. also *Rasā’il Ikhwān al-Ṣafā*, ed. K. al-Ziriklī, Cairo 1928, 4:30.20, and, for Imāmī parallels, above, 260–2.

³²⁷ H. Halm, ‘Der Treuhänder Gottes: Die Edikte des Kalifen al-Ḥākim’, *Der Islam*, 63 (1986), esp. 21–6, 56–9.

³²⁸ Maqrīzī (d. 845/1442), *Itti‘āz al-hunafā*, ed. J. al-Shayyāl and M. Ḥ. M. Aḥmad, Cairo 1967–73, 2:77.3, and cf., for example, *ibid.*, 44.3 (*raf’ al-munkarāt*), 89.2 (*tatabbu’ al-munkarāt wa’l-man’ minhā*); Ibn Sa‘īd al-Maghribī (d. c. 685/1286), *al-Nujūm al-zāhira*, ed. Ḥ. Naṣṣār, Cairo 1970, 74.1, and cf. 61.16. For the sources behind these sources, see Halm, ‘Der Treuhänder Gottes’, 15–17. We lack a first-hand Fāṭimid justification of the measures, but the remarks of al-Mu‘izz on his subjects would fit such a context (see above, note 325).

³²⁹ Qāḍī Nu‘mān (d. 363/974), *Risālat iftitāḥ al-da‘wa*, ed. W. al-Qāḍī, Beirut 1970, 215.3.

right and forbidding wrong.³³⁰ Naysābūrī, having stated that Q3:104 refers to the imams, then proceeds to extend it to missionaries, insisting however on their duty to practise what they preach.³³¹ In another passage, he includes forbidding wrong among the dignified and sober activities that should characterise the missionary's circle.³³² Ḥasan-i Šabbāḥ (d. 518/1124), according to a Nizārī Ismā'īlī account of his life preserved in non-Ismā'īlī sources, commanded right and forbade wrong during his long reign (483–518/1090–1124) at Alamūt; there is specific mention of liquor and music.³³³ An account of the Yemeni missionary Ibrāhīm ibn al-Ḥusayn al-Ḥāmidī, who held office from 546/1151 to his death in 557/1162, describes him as forbidding wrong and commanding right (in that order); the context suggests that the terms are a natural description of what a missionary did.³³⁴

This role of forbidding wrong in Ismā'īlī religious politics invites comparison with Zaydism. What is striking is how much more muted the idiom seems to be in the Ismā'īlī context. Consider, for example, the career of Abū 'Abdallāh al-Shī'ī, an instance of sectarian state-formation very similar in some respects to Zaydī initiatives in the same period. We possess a lively and detailed account of the process in a work of Qāḍī Nu'mān (d. 363/974); yet it makes no reference to forbidding wrong other than as already indicated.³³⁵ It is hard to imagine a comparable Zaydī text being so sparing.

³³⁰ *Ibid.*, 220.1.

³³¹ Naysābūrī, *Risāla*, 266.7. For the theme of setting oneself to rights, cf. Naysābūrī, *Ithbāt*, 68.3, and Qāḍī Nu'mān (d. 363/974), *al-Himma fī ādāb atbā' al-a'imma*, ed. M. K. Husayn, n.p. n.d., 132.10.

³³² Naysābūrī, *Risāla*, 220.2.

³³³ See F. Daftary, *The Ismā'īlīs: their history and doctrines*, Cambridge 1990, 367, citing Juwaynī (d. 681/1283), *Tārikh-i jahān-gushā*, ed. Muḥammad Qazwīnī, Leiden and London 1912–37, 3:210.2; Rashīd al-Dīn (d. 718/1318), *Jāmi' al-tawārikh: qismat-i Ismā'īliyyān wa Faṭīmiyyān wa Nizāriyyān wa dā'iyyān wa rafīqān*, ed. M. T. Dānishpazhūh and M. Mudarrisī Zanjānī, Tehran 1338 sh., 124.11; Abū 'l-Qāsim Kāshānī (fl. early eighth/fourteenth century), *Zubdat al-tawārikh*, section on the Ismā'īlīs, ed. M. T. Dānishpazhūh, Tabriz 1343 sh., 145.7. For the relationship between these accounts, see Daftary, *The Ismā'īlīs*, 327–9.

³³⁴ A. Hamdani, 'The dā'ī Ḥatīm ibn Ibrāhīm al-Ḥāmidī (d. 596 H/1199 AD) and his book *Tuhfat al-qulūb*', *Oriens*, 23–4 (1974), 286, beginning of the Arabic text (from the *Nuzhat al-aḥkār* of the dā'ī Idrīs 'Imād al-Dīn (d. 872/1468)).

³³⁵ See above, notes 329f. Nagel, in a reference to the role of *al-amr bi'l-ma'rūf* in the movement of Abū 'Abdallāh al-Shī'ī (*Staat und Glaubensgemeinschaft*, 1:229), cites Qāḍī Nu'mān (d. 363/974), *Da'ā'im al-Islām*, ed. A. 'A. A. Fayḍī, Beirut 1991, 1:34.17. This passage gives an exegesis of Q3:104 as showing Muslims at large ('the people of the qibla') to be infidels; but it has no bearing on the implementation of *al-amr bi'l-ma'rūf*. It is doubtless taken from an Imāmī source (compare 'Ayyāshī, *Tafsīr*, 1:195 no 127, and Bahrānī, *Burbān*, 1:308.6).

I have encountered only one formal account of forbidding wrong in the Ismā‘īlī sources I have consulted.³³⁶ It is found in a work of the Yemeni missionary ‘Alī ibn Muḥammad ibn al-Walīd, who held office from 605/1209 to his death in 612/1215.³³⁷ His account consists mostly of Koranic quotations. In the residue he offers a number of rather ordinary ideas. He sets out the usual three modes,³³⁸ and mentions repeatedly that the duty is contingent on one’s being able to perform it. Worth noting is his mention of precautionary dissimulation (*taqiyya*) as a reason for not proceeding with the duty.³³⁹ Only one thing, however, sets his account apart from the mainstream of Islamic doctrine: he states explicitly that the duty (here conjoined to ‘calling to the faith’) is to be performed only by scholars, to the exclusion of others (*al-‘ulamā’ dūna ghayrihim*).³⁴⁰ It has been suggested, quite plausibly, that this might represent a later addition to the text.³⁴¹ Whether this is so or not, we have here an unabashed assertion of clerical authority scarcely paralleled elsewhere.

Some of the material analysed in this excursus could be seen as reflecting interaction with a Sunnī environment. The earliest attestations, the letter of Abū ‘Abdallāh al-Shī‘ī and the speech of al-Qā’im in Alexandria, invite such a gloss. But this cannot be true of the material as a whole; the activities of Ḥasan-i Ṣabbāḥ at Alamūt were not a public relations campaign directed at a Sunnī audience. So the value was unquestionably an authentic element of the Ismā‘īlī tradition. What we seem to lack is any indication as to how it related to the central ideas of Ismā‘īlism. Was it spirited away by symbolic interpretation? Was it given some startlingly concrete connotation? Ibn Abī ‘l-Ḥadīd makes the statement that the (Nizārī) Ismā‘īlīs justify their practice of assassination in terms of forbidding wrong;³⁴² but to my knowledge this is not attested in the literature of the Nizārīs themselves.

³³⁶ The absence of the duty from the extant legal works of Qāḍī Nu‘mān is likely to reflect a conception of the proper contents of a law-book formed under Sunnī or, more likely, early Imāmī influence (for the Imāmīs, see above, note 2).

³³⁷ ‘Alī ibn Muḥammad ibn al-Walīd (d. 612/1215), *Tāj al-‘aqqā’id*, ed. ‘A. Tāmīr, Beirut 1967, 111f. no. 59, translated or summarised in W. Ivanow, *A creed of the Fatimids*, Bombay 1936, 48f. no. 59 (for the work, see Poonawala, *Biobibliography*, 157).

³³⁸ He gives them in the order tongue, hand and heart (Ibn al-Walīd, *Tāj*, 112.15).

³³⁹ *Ibid.*, 112.17; cf. above, notes 34, 211, 270. ³⁴⁰ *Ibid.*, 111.3.

³⁴¹ Ivanow, *Creed*, 49, in his commentary to the account; he speaks of it as ‘intended to uphold the interests of the priestly class’. Contrast the statement later in the account that the believer (and so presumably not just the scholar) is obligated (Ibn al-Walīd, *Tāj*, 112.15). ³⁴² Ibn Abī ‘l-Ḥadīd, *Sharḥ*, 19:311.18.

PART IV



OTHER SECTS AND SCHOOLS

CHAPTER 12

THE ḤANAFĪS

1. INTRODUCTION

The Ḥanafīs were the oldest of the Sunnī law-schools.¹ But unlike the Ḥanbalites, they were slow in developing a distinct theological identity.² Abū Ḥanīfa (d. 150/767f.) had held views on theological questions, or at least such views were later ascribed to him; a tradition going back to these views was established among the Ḥanafīs of Samarqand, and eventually became known as Māturīdism. By the fifth/eleventh century this tradition was predominant in Transoxania, whence it spread to the Turks. Yet prior to this development, and for a while thereafter, Ḥanafīs subscribed to a variety of theological persuasions. There were Ḥanafī Mu‘tazilites and Ḥanafī traditionalists, together with a second peculiarly Ḥanafī school, the Najjāriyya; we even encounter a Ḥanafī Ash‘arite.³ But the brute force of history, in the shape of the Turkish invasion of the fifth/eleventh century and the subsequent domination of the Turks, was to sweep away this diversity, and establish Māturīdism as the theological face of Ḥanafism.

Our knowledge of Ḥanafī views of forbidding wrong is accordingly dominated by the Māturīdite heritage, and it is on the material preserved there that most of this chapter is inevitably based. We are not wholly ignorant of the Ḥanafī Mu‘tazilites, since some of their literature survived both within and outside the Ḥanafī mainstream; one work stemming from this milieu will be considered at the end of this chapter.⁴ But the only strictly

¹ The history of the formation and spread of the Ḥanafī law-school as a whole has yet to be written, but for a substantial contribution see N. Tsafir, ‘The spread of the Ḥanafī school in the western regions of the ‘Abbāsīd caliphate up to the end of the third century AH’, Princeton Ph.D. 1993.

² For what follows, see Madelung, ‘The spread of Māturīdism’, and his *Religious trends*, ch. 3.

³ For these non-Māturīdite Ḥanafī persuasions, see Madelung, ‘The spread of Māturīdism’, 112–16.

⁴ We have already encountered two Koran-centred works that were preserved among non-Mu‘tazilite Sunnis: the *Aḥkām al-Qur‘ān* of Jaṣṣaṣ (d. 370/981), and the *Kashshāf* of

doctrinal residue of this heritage with which we will be concerned here is a single passage from the Koran commentary of Zamakhsharī (d. 538/1144). We have no solid information regarding attitudes to forbidding wrong among the Ḥanafī traditionalists, and none at all for the Najjāriyya.

2. THE ḤANAFĪS BEFORE THE OTTOMANS

The Ḥanafīs were a product of the Kūfan Murji'ite milieu of the second/eighth century. Pre-Ḥanafī Kūfan Murji'ites doubtless had views on the subject of forbidding wrong, but we know nothing of them.⁵ With Abū Ḥanīfa, the eponymous founder of the law-school, we are better served. Much of what we are told of his opinions has already been discussed, but it will be useful to resume this rather disparate material here. Most generally, the duty is the second of five doctrinal points – a creed of sorts – ascribed to him in an early Ḥanafī text.⁶ In two sources he is pressed on the question of rebellion against unjust rule under the aegis of forbidding wrong. In each case he agrees that forbidding wrong is a divinely imposed duty, and he does not categorically deny that it could sanction such activity. But he does in practice discourage it: it is not something that

Footnote 4 (*cont.*)

Zamakhsharī (d. 538/1144). As might be expected, the distribution of the manuscripts of the *Aḥkām al-Qur'ān* suggests that it was preserved primarily among Ḥanafīs (see Sezgin, *Geschichte*, 1:445). We have also met with two systematic theological works that were preserved by the Zaydis, the *Minhāj* of Zamakhsharī and the *Fā'iḡ* of Ibn al-Malāḥimī (d. 536/1141), who was likewise doubtless a Ḥanafī. For Zamakhsharī and Ibn al-Malāḥimī, see above, ch. 9, section 4. Jaṣṣaṣ will be discussed below, section 7.

⁵ The only primary source I know of which imputes a doctrinal position regarding *al-amr bi'l-ma'rūf* to non-Ḥanafī Murji'ites is Abū Tammām's *Shajara*, itself likely to be dependent on the heresiography of Abū 'l-Qāsim al-Balkhī (d. 319/931) (see above, ch. 1, note 28). He tells us that the Ghaylāniyya and all of the Murji'a hold that Muslims have a duty to forbid wrong in any way they can, by the sword, the tongue, the hand or the heart (*ibid.*, 80.11 = 79). In his historically rather worthless heresiography, by contrast, the Ḥanafī Makḥūl al-Nasafī (d. 318/930) quotes Q9:71 (noting that it does not reserve *al-amr bi'l-ma'rūf* to the *umarā'*) and the tradition about speaking out in the presence of an unjust ruler (see above, ch. 1, note 18) in order to refute the Bida'iyya, a sect which he classes as Murji'ite, and to which he imputes a belief in unconditional obedience to rulers (M. Bernand, 'Le *Kitāb al-radd 'alā l-bida'* d'Abū Muṭṭī Makḥūl al-Nasafī', *Annales Islamologiques*, 16 (1980), 123.18; cf. Rudolf, *Al-Māturīdī*, 105); but there is no indication that the sect itself held a view on *al-amr bi'l-ma'rūf*. Ibn Muflīḥ (d. 763/1362) quotes a statement from Ibn Taymiyya (d. 728/1328) to the effect that some Murji'ites are inclined to abandon *al-amr bi'l-ma'rūf* in the belief that this constitutes avoidance of sedition (*Ādāb*, 1:177.11); but the example given is the Ḥanafī Māturīdī (d. c. 333/944) (see below, note 29). Cf. also Lambton, *State and government in medieval Islam*, 310, and Athamina, 'The early Murji'a', 124.

⁶ See above, ch. 1, note 25. The replies Abū Ḥanīfa gives in the versions of the story in which he is asked about the duty by Ja'far al-Ṣādiq (d. 148/765) are blandly uninteresting (for this anecdote, see above, ch. 11, note 54).

one man can undertake on his own;⁷ even if undertaken by a leader and his followers, it will cause more harm than good.⁸ One Ḥanafī source nevertheless tells us that Abū Ḥanīfa held forbidding wrong to be obligatory by word and sword.⁹ Abū Ḥanīfa also transmits a couple of Prophetic traditions endorsing martyrdom incurred in rebuking unjust rulers.¹⁰ He takes the view that, if the community as a whole is acting wrongfully, one should emigrate.¹¹ In late sources, Abū Ḥanīfa appears as the author of the saying setting out the tripartite division of labour.¹² Finally, a good many sources relate in one form or another a relevant legal opinion of Abū Ḥanīfa: if someone breaks a mandolin – presumably in the course of forbidding wrong – then he owes compensation for it.¹³ Such material cannot add up to a systematic account of the duty, and its authenticity is by no means assured; but for so early a figure it is not to be sneezed at. It suggests that the topic gave rise to considerable tension in early Ḥanafī thought.

Yet if we expect to find here the beginnings of a rich Ḥanafī literary tradition on forbidding wrong, we shall be disappointed. Like the Sunnīs in general, the Ḥanafīs do not treat the topic in their law-books.¹⁴ What is more surprising is that, with few exceptions, they do not treat it in works

⁷ See above, ch. 1, 7. ⁸ See above, ch. 1, note 26.

⁹ See below, note 198, and cf. above, ch. 1, note 28. ¹⁰ See above, ch. 1, notes 19f.

¹¹ Abū Ḥanīfa, *al-Fiqh al-absaṭ*, 48.4 (*wa-'kbruj ilā ghayrihim*). He invokes Q4:97, Q29:56, a Prophetic tradition with the standard Ḥanafī *isnād*, and an anonymous Companion tradition.

¹² See below, note 132, and 'Alī al-Qārī, *Mubīn*, 188.20 (an incomplete version stating that *al-amr bi'l-ma'rūf* by hand is reserved for the authorities (*umarā'* and *wulāt*) because of their power, others being confined to doing it with the tongue).

¹³ So 'Abdallāh ibn Aḥmad ibn Ḥanbal, *Sunna*, 207 no. 323. Kāsānī (d. 587/1191) indicates that the view relates to musical instruments in general (*Badā'i' al-ṣanā'i'*, Cairo 1327–8, 5:144.28), and contrasts the position of Abū Yūsuf (d. 182/798) and Shaybānī (d. 189/805) (I am indebted to Baber Johansen for directing me to this passage); Kāsānī also mentions an analogous disagreement regarding the ripping of wine-skins (*ibid.*, 129.30). (For the concept of *māl* which is in play here, see B. Johansen, 'Commercial exchange and social order in Ḥanafite law', in C. Toll and J. Skovgaard-Petersen (eds.), *Law and the Islamic world past and present*, Copenhagen 1995, 89f.) See also Sunāmī (*fl.* early eighth/fourteenth century), *Nisāb al-ihtisāb*, ed. M. Y. 'Izz al-Dīn, Riyāḍ 1982, 190.18 (for Sunāmī, whose *nisba* is Indian, see 10–13 of the editor's introduction, and M. Izzi Dien, *The theory and the practice of market law in medieval Islam*, Warminster 1997, 1–7); 'Alī al-Qārī, *Mubīn*, 188.16 (indicating that Abū Ḥanīfa held that such things should not be destroyed). For Abū Yūsuf's view, see also *ibid.*, 188.15, and above, ch. 10, note 81.

¹⁴ Quite why the Sunnīs should not have given *al-amr bi'l-ma'rūf* a place in their law-books is hard to say; the Ḥanbalite Abū Ya'lā describes the duty as one of the *'ibādāt shar'iyya* (*Amr*, ff. 102a.1, 102a.17, 105a.15). The Ḥanafīs do, of course, touch on it on occasion, just as the Ḥanbalites do (see above, ch. 7, note 2). Thus Kāsānī takes a hard-line view regarding a home from which the sound of music is heard: one should enter without leave, since *taghyir al-munkar* is a duty (*farḍ*) which otherwise could not be performed (Kāsānī, *Badā'i'*, 5:125.3; also Ibn Qayyim al-Jawziyya (d. 751/1350), *Ighāthat al-lahfān*, ed. M. S. Kaylānī, Cairo 1961, 1:245.20, where the view is attributed to Abū Yūsuf); and cf. the references to Kāsānī in the preceding note and below, note 48.

of theology either.¹⁵ The result is a scarcity of sustained, systematic accounts of the duty from Ḥanafī scholars. Instead, we often have to make do with scattered material which is soft in doctrinal content.

The Ḥanafī law-school originated in Iraq, and Iraq may have remained its most important centre for some centuries.¹⁶ But thanks to the Turkish invasion of the fifth/eleventh century, it was the Ḥanafism of the north-eastern corner of the Islamic world that was swept to prominence.¹⁷ Under the rule of the Sāmānids (263–395/875–1005), the Ḥanafīs of this region seem to have become relatively well disposed towards the state, something they had not been under ‘Abbāsīd rule.¹⁸ It is against this background that the duty receives some attention in works of – or ascribed to – two major Ḥanafī scholars of Samarqand: Abū Maṣṣūr al-Māturīdī (d. c. 333/944), after whom the theological school to which he belonged was eventually named,¹⁹ and Abū ‘l-Layth al-Samarqandī (d. 373/983).²⁰

There are two works ascribed to Māturīdī which have something of interest to say about the duty.²¹ The first, the ascription of which to Māturīdī seems to be quite arbitrary,²² offers a commentary on two of Abū

¹⁵ An insignificant exception is a short work on theology ascribed to Ṭaḥāwī (d. 321/933), where *al-amr bi’l-ma’rūf* is included in a list of religious duties which he affirms (*Fuṣūl fī uṣūl al-dīn*, ms. Princeton, Arabic, Third Series, 288, f. 125a.9, *faṣl* 187; this work is not Ṭaḥāwī’s well-known ‘*aqida*’). ¹⁶ Cf. below, 334, on Jaṣṣāṣ.

¹⁷ On this process see the works of Madelung already cited (above, note 2).

¹⁸ See Madelung, ‘The early Murjī’a’, 36–9. This earlier hostility is perhaps reflected in the long activist tradition transmitted by the Shī’ites from the Marwazī Ḥanafī Nūḥ ibn Abī Maryam (d. 173/789f.) (see above, ch. 11, note 28).

¹⁹ See *EP*², articles ‘Māturīdī’ and ‘Māturīdiyya’ (W. Madelung).

²⁰ See *Encyclopaedia Iranica*, art. ‘Abū’l-Layth Samarqandī’ (J. van Ess).

²¹ It is also treated in his Koran commentary (see above, ch. 2, notes 17, 44, 47, 54). It may be noted that in defining *ma’rūf* and *munkar* in his commentary to Q3:110, he offers alternative rationalist and revelationist glosses (*Ta’wīlāt*, f. 46a.22); contrast A. Bardakoğlu, ‘Hüsün ve kubh konusunda aklın rolü ve İmam Māturīdī’, in *Ebū Mansur Semerkandī Māturīdī*, Kayseri 1986, 43, and cf. below, note 35.

²² For the authorship of the *Sharḥ al-Fiqh al-akbar*, see H. Daiber, *The Islamic concept of belief in the 4th/10th century*, Tokyo 1995 (with a new edition of the text). Daiber argues convincingly that the ascription to Māturīdī (which I use below as a bibliographical convenience) is false (*ibid.*, 5–7), and makes a serious case for the authorship of Abū ‘l-Layth al-Samarqandī (*ibid.*, 7–10). However, if the work was indeed by so well known a figure, it remains puzzling that it should be ascribed in some copies to scholars whom we are unable even to identify. One of these is a certain Khāṭirī (*ibid.*, 3 n. 15; 17, manuscripts S and F; to which may be added ms. Istanbul, Süleymaniye, M. Arif M. Murad 177 (see f. 74b.2)). The other is a certain Jūzajānī (Daiber, *Islamic concept of belief*, 3, where Daiber mistakenly takes Jūzajānī to be the author of a distinct work); a case in point is ms. Istanbul, Süleymaniye, Fatih 3,139, where the usual *incipit* of the work is put in the mouth of this Jūzajānī (see f. 117b.2). Since the scribe of this manuscript states that he was copying from a manuscript of 565/1169f. (f. 151a.15), this gives us a *terminus ante quem* for Jūzajānī earlier than the usual 687/1288. All the manuscripts of this work that I cite here and below are in the Süleymaniye; one of them (Esat Efendi 1,581) was used by Daiber.

Ḥanīfā's positions noted above. First, in response to Abū Ḥanīfā's inclusion of forbidding wrong in his creed, the commentator states that the duty is at issue between 'us' and the 'Mujbira'. The 'Mujbira' deny the duty on the basis of Q5:105;²³ the commentator declares this verse irrelevant, and locates the source of the duty in Q3:104.²⁴ The 'Mujbira' are presumably the traditionists, who are regularly accused of denying the duty.²⁵ That 'we' should affirm its obligatoriness is unsurprising. Secondly, in response to Abū Ḥanīfā's condemnation of rebellion by a leader and his followers, the commentator – as might be expected – takes a firmly quietist line.²⁶ More surprisingly, he states that Abū Ḥanīfā's ruling against rebellion on the grounds of its adverse consequences shows that commanding right and forbidding wrong are no longer in effect in our time;²⁷ he explains that these activities are now entirely of this kind (he means that they are directed only to bloodshed and plunder), and not motivated by disinterested virtue (*lā 'alā wajh al-ḥisba lillāh*).²⁸ Does the commentator really mean to say that forbidding wrong in general – and not just rebellion under its aegis – has lapsed in his time, despite the fact that, in refuting the 'Mujbira', he states it to be obligatory? Or is he simply using 'forbidding wrong' as a synonym for righteous rebellion in this passage? If we turn to the second work ascribed to Māturīdī which touches on the duty, we encounter a similar statement: commanding and forbidding are not in effect in our time, not being motivated by disinterested virtue (*li-annahu lā 'alā wajh al-ḥisba*); the author goes on to say that for this reason armed rebellion against an

²³ Cf. above, ch. 2, 30f.

²⁴ Māturīdī, *Sharḥ al-Fiqh al-akbar*, 4.1 (commenting on Abū Ḥanīfā, *al-Fiqh al-absaṭ*, 40.10), whence Wensinck, *Creed*, 107; Daiber, *Islamic concept of belief*, 39–41, lines 48–56. (For the relationship between the two texts, see van Ess, 'Kritisches', 331f., and Daiber, *Islamic concept of belief*, 214.) The passage appears without significant variation in the manuscripts cited above, note 22. ²⁵ See below, 336f.

²⁶ Māturīdī, *Sharḥ al-fiqh al-akbar*, 13.15 (commenting on Abū Ḥanīfā, *al-Fiqh al-absaṭ*, 44.10); Daiber, *Islamic concept of belief*, 97–100, lines 334–46, with commentary *ibid.*, 228–30.

²⁷ The wording is: *irtafa'ā fī ḥādḥā 'l-zamān, fī ḥādḥā 'l-zamān murtafi'ān*. The most interesting variant concerns the second reference to the duty no longer being in effect. This is attributed to Abū Muṭī' al-Balkhī (d. 199/814) in many manuscripts (cf. Daiber, *Islamic concept of belief*, 99 n. 9; also Fatih 3,137, f. 22a.5; likewise Fatih 5,392, f. 68b, where the commentary of Jūzajānī appears in the margin). However, in two manuscripts I have noted the alternative reading *qala 'l-faqīh* (Esat Efendi 1,581, f. 205a.20 (a reading not noted by Daiber); Fatih 3,139, f. 129b.10 (a manuscript not used by Daiber)); for this phrase, see Daiber, *Islamic concept of belief*, 6, arguing plausibly that the author of the work uses it to refer to himself. It may be noted that there is no trace of this doctrine in Māturīdī's *Ta'wīlāt* to Q3:104 (ff. 44b–45a) or Q3:110 (f. 46a–b).

²⁸ Māturīdī, *Sharḥ al-fiqh al-akbar*, 14.3 (corrupt); Daiber, *Islamic concept of belief*, 100, lines 345f.

unjust ruler is impermissible.²⁹ The concern with rebellion is again close, but the formulation appears to be general.³⁰ This is the first we hear among the Ḥanafīs of the doctrine that the duty has lapsed, though it is not quite the last: as we shall see, something of the kind was reinvented in Ottoman Syria.³¹ It suggests an unusually – though not uniquely – quietist view of the duty.

Abū ʿl-Layth's longest treatment of forbidding wrong is found in a well-known pietistic work of his.³² But it is in the nature of such works that it sets out no systematic doctrine, and indeed the passage consists overwhelmingly of a succession of quotations from Koran and tradition.³³ Interspersed among them we find such points as the following. Abū ʿl-Layth mentions that a certain Prophetic tradition shows that being able to carry out the duty (*qudra*) is a condition for it (to be obligatory); he glosses this as meaning that the virtuous (*ahl al-ṣalāh*) must enjoy predominance (*al-ghalaba*).³⁴ He defines right (*ma'rūf*) as what is in accordance with revelation and reason, and wrong (*munkar*) as the contrary.³⁵ He says that the duty should be performed in private (*fī ʿl-sirr*) where possible; if this does not work, one should do it in public (*fī ʿl-ʿalāniya*), calling upon the help of the virtuous.³⁶ He quotes the tripartite saying that performance with the hand is for rulers (*umarāʾ*), with the tongue for scholars

²⁹ Māturīdī (d. c. 333/944), *ʿAqida*, in Y. Z. Yörükân, *İslâm akaidine dair eski metinler*, Istanbul 1953, 17 no. 27 (= 26 no. 27). One or other of these passages, or a parallel, was known to Ibn Taymiyya as Māturīdī's (Ibn Mufliḥ, *Ādāb*, 1:177.13). Daiber categorically rejects the ascription of the work to Māturīdī (*Islamic concept of belief*, 5, 10); though he may well be right, it should be noted that this ascription was already established in the eighth/fourteenth century (see further the following note).

³⁰ It was taken to be so by Tāj al-Dīn al-Subkī (d. 771/1370) in his work *al-Sayf al-mashbūr fī sharḥ ʿAqīdat Abī Maṣṣūr*: he objects that the duty remains in effect in the view of the Muslims at large (ms. Istanbul, Süleymaniye, Hacı Mahmud 1,329, f. 25b.7). For this work, which is concerned to play down credal differences between Māturīdism and Ashʿarism (see, for example, f. 2a.4), see Sezgin, *Geschichte*, 1:605 no. 3.

³¹ See below, 327f. For attestations of such views elsewhere, see above, ch. 3, 40–2, and ch. 5, 106.

³² Abū ʿl-Layth, *Tanbīh*, 96–105. That the work is semi-popular is suggested by the way in which Abū ʿl-Layth will sometimes restate the meaning of a Koranic verse or tradition in simpler language (as *ibid.*, 103.6, 103.14).

³³ Note that when he quotes the 'three-modes' tradition, his Māturīdite commitment leads him to gloss *adʿaf al-īmān* as *adʿaf fī ʿl-ahl al-īmān* (*ibid.*, 100.14; the same gloss appears in his *Bustān al-ʿarifīn*, printed in the margin of his *Tanbīh al-ghāfilīn*, Cairo n.d., 128.20). For the doctrinal issue here (whether faith can increase and decrease), see Wensinck, *Creed*, 45, 125, 138, 194.

³⁴ Abū ʿl-Layth, *Tanbīh*, 98.7; compare the view of ʿAbd al-Qādir al-Jīlī (see above, ch. 6, note 165), who cites the same Prophetic tradition.

³⁵ *Ibid.*, 98.15; cf. ʿAbd al-Qādir al-Jīlī (see above, ch. 6, note 157). This may be governed by the 'it is said' of *ibid.*, 98.11; compare Abū ʿl-Layth, *Tafsīr*, 1:289.17. For such definitions in general, cf. above, ch. 2, 25.

³⁶ Abū ʿl-Layth, *Tanbīh*, 99.7; cf. ʿAbd al-Qādir al-Jīlī (see above, ch. 6, note 163).

(*‘ulamā’*), and in (or with) the heart for the rest of society (*‘amma*); others say that whoever is able to right a wrong should do so.³⁷ Commanding right is to be embarked on only for the sake of God and to secure the greater glory of the faith (*i‘zāz al-dīn*), not as an ego-trip (*li-ḥamiyyat nafsihi*).³⁸ One who commands right needs five things: knowledge; pure intentions; sympathy, so that he performs the duty gently; perseverance; and to practise what he preaches.³⁹ To emigrate from a land of misdeeds (*ma‘āṣī*) is to follow the example of Abraham and the Prophet;⁴⁰ but it is acceptable to stay on, provided one can fulfil one’s religious duties and disapproves of the wrongdoing around one.⁴¹

The other works of Abū ‘l-Layth are on the whole disappointing. In his Koran commentary he ventures no relevant opinions in his own name. In a short work on prayer he mentions forbidding wrong in passing as an example of a collective duty.⁴² However, in another popular work he sets out quite a complicated account of the way in which the standing of forbidding wrong varies with the prospects of efficacy and harm to the performer.⁴³ If it seems likely to work (whether or not the performer will come to harm?), it is obligatory. If it will not work, and the performer will meet with verbal abuse, it is better for him to abstain. If what confronts him is the prospect of a beating, it depends whether he can endure it:⁴⁴ if he cannot, it is better to abstain, but if he can, there is no harm in proceeding – indeed it puts him in the position of one who wages holy war. If it will not work, but at the same time will not put him in harm’s way, the choice is his – though it is better to proceed. Altogether, this may not be

³⁷ *Ibid.*, 101.1; cf. ‘Abd al-Qādir al-Jīlī (see above, ch. 6, note 166). Abū ‘l-Layth reports the same anonymous saying in his *Tafsīr*, 1:289.20 (to Q3:104), and in his *Bustān*, 128.31. Cf. the position of Makhūl (above, note 5).

³⁸ Abū ‘l-Layth, *Tanbīh*, 101.3, with a long story about a zealot who set out to cut down a sacred tree; compare ‘Abd al-Qādir al-Jīlī (see above, ch. 6, note 160). Here and elsewhere, I adopt the expression ‘ego-trip’ to render an idea that recurs in the sources in various wordings. The phrase *i‘zāz al-dīn* occurs sporadically in Ḥanafī texts (see Muḥammad ibn ‘Uthmān al-Balkhī (d. 830/1426f.) (attrib.), ‘*Ayn al-‘ilm*, apud ‘Alī al-Qārī, *Sharḥ ‘Ayn al-‘ilm*, 1:429.3; and below, note 117); but the Ḥanafīs do not, to my knowledge, use it in the context of the danger condition (cf. above, ch. 6, note 142).

³⁹ Abū ‘l-Layth, *Tanbīh*, 101.22; the whole list reappears, with much additional material, in ‘Abd al-Qādir al-Jīlī’s five conditions (see above, ch. 6, notes 158, 160–2).

⁴⁰ *Ibid.*, 103.10 (the verb used is *kharaḥa*). Cf. above, note 11.

⁴¹ *Ibid.*, 104.1 (the verb used is *hājara*).

⁴² A. Zajaczkowski, *Le Traité arabe Mukaddima d’Abou-l-Layth as-Samarḳandī en version mamelouk-kiptchak*, Warsaw 1962, 99.1 (with an interlinear Qipchaq translation). In his Koran commentary Abū ‘l-Layth reports an anonymous view that Q3:104 does not impose the duty on all, since not everybody can do it well; only those who know are obligated (*Tafsīr*, 1:289.19).

⁴³ Abū ‘l-Layth, *Bustān*, 127.36. All the material cited here, and in notes 33 and 37 above, forms part of the eighty-fourth chapter of the work.

⁴⁴ For this distinction, compare Wā‘iz-i Balkhī, *Faḍā’il-i Balkh*, 157.4.

a particularly activist approach to the issues, but it shows no sign of the quietism associated with Māturīdī.

Between the Sāmānid and the high Ottoman periods, the Ḥanafī record is surprisingly threadbare. The Bukhāran scholar Imāmzāda (d. 573/1177f.) gives a short, exhortatory account of the duty.⁴⁵ It shows no links with the earlier Ḥanafī literature we have looked at, and for the most part proceeds by quoting, paraphrasing or expanding on traditions. At the same time its tone is enthusiastic. There is a marked absence of counsels of prudence in the face of danger: Muslims should be zealous and unyielding, with no fear even of getting killed, and should speak out in the presence of unjust rulers.⁴⁶ The question might thus be raised whether this work reflects a literary tradition somewhat apart from the Māturīdīte mainstream, but I am not in a position to answer it.⁴⁷ The jurist Marghīnānī (d. 593/1197) in a series of responsa makes obligation turn on prospective efficacy: it is this that determines whether one may attend a wedding feast at which there is (musical) wrongdoing, whether one should correct someone's error in Koran recitation, whether one should write to the father of an offender informing him of his son's misdeeds, or whether one should draw someone's attention to an impurity larger than a dirhem in their dress.⁴⁸ Abū 'l-Barakāt al-Nasafī (d. 701/1301) touches briefly on forbidding wrong in his Koran commentary, explaining that it is a collective obligation, and one that can be accomplished only by someone who

⁴⁵ See Imāmzāda (d. 573/1177f.), *Shir'at al-Islām*, ms. Princeton, Garrett 836H, ff. 101a.11–102a.10 (for this manuscript, see P. K. Hitti *et al.*, *Descriptive catalog of the Garrett Collection of Arabic manuscripts in the Princeton University Library*, Princeton and London 1938, 506 no. 1693). The text is also available in print in the commentary of Ya'qūb ibn Seyyid 'Alī (d. 931/1524f.) (*Sharḥ Shir'at al-Islām*, Istanbul 1326, 495–506). Since comparison shows the text as given in this commentary to be virtually complete, all further references will be to this text, and not to the manuscript.

⁴⁶ Imāmzāda, *Shir'a*, 497.6, 499.18. The commentator is not insensitive to this rather reckless tone (Ya'qūb, *Sharḥ*, 499.9).

⁴⁷ A somewhat similar work, but lacking the enthusiastic tone, is the *Khālīṣat al-ḥaqā'iq* of Fāryābī (d. 607/1210) (ms. Princeton, Garrett 1026H (for this manuscript, see Hitti, *Catalog*, 631 no. 2,076, item 3); *al-amr bi'l-ma'rūf* is treated in the twenty-third chapter, here ff. 93b.4–94b.2).

⁴⁸ Marghīnānī (d. 593/1197), *al-Taḥnīs wa'l-mazīd*, ms. Istanbul, Süleymaniye, Yeni Cami 533, quire 20, f. 3a.22; quire 21, f. 2a.23, 2a.28, 2b.9; and cf. the general rule, *ibid.*, f. 2b.12. He also states that the sinner is obligated (*ibid.*, f. 2a.21). The quires in this manuscript are numbered, and consist of ten folios each. With regard to the immoral wedding-feast, Marghīnānī's view is that if one's declining the invitation will prevent the wrongdoing, it is one's duty not to go; otherwise there is no harm in going and enjoying the food, while not listening to the music. A similarly accommodating tendency is apparent in Kāsānī's treatment of the question (*Badā'i*^c, 5:128.23); he quotes a statement of Abū Ḥanīfa to the effect that he had endured the sound of music on one such occasion (*ibid.*, 128.31). Ḥanafī law is thus significantly less likely to cause social embarrassment in this context than that of the Ḥanbalite Ibn Qudāma (see above, ch. 7, note 2).

knows right from wrong, and understands the principle of escalation.⁴⁹ A younger contemporary in a treatise on the office of the censor (*ḥisba*) sets out differences between the officially appointed censor (*al-muḥtasib al-manṣūb*) and the ordinary believer who engages in forbidding wrong (*al-mutaṭawwiʿ*);⁵⁰ he also repeats a good deal of earlier material.⁵¹ Taftazānī (d. 793/1390) treats the duty at some length in one of his works⁵² and more briefly in another;⁵³ but apart from a couple of quotations from a Ḥanafī source,⁵⁴ these seem to represent a Shāfiʿite and Ashʿarite tradition, and will accordingly be discussed in the next chapter. Ibn al-Malak (fl. early eighth/fourteenth century) gives a commentary on the ‘three modes’ tradition⁵⁵ which is pillaged by authors of the Ottoman period.⁵⁶

Alongside this fragmented material there are occasional references to forbidding wrong in the biographical literature. Among the Ḥanafī or semi-Ḥanafī figures of the second/eighth century, Dāwūd ibn Nuṣayr al-Ṭāʾī (d. 165/781f.) poured cold water on the idea of going in to rulers to command and forbid them,⁵⁷ whereas ʿAbdallāh ibn Farrūkh (d. 175/791)

⁴⁹ Abū ʿl-Barakāt al-Nasafī, *Madārik*, 1:240 n. 2 (to Q3:104); he depends – directly or indirectly – on Zamakhsharī (*Kashshāf*, 1:396.8). Likewise heavily dependent on Zamakhsharī is Siwāsī (d. 803/1400f.) in his *ʿUyūn al-taṣīr* (ms. Princeton, Yahuda 5,766, ff. 69b–70a, particularly f. 70a.10, which is from Zamakhsharī, *Kashshāf*, 1:397.16). Siwāsī also works in a reference to the tripartite division of labour (*ʿUyūn*, f. 70a.7). For this manuscript, see Mach, *Catalogue*, 36f. no. 394.

⁵⁰ Sunāmī, *Niṣāb al-iḥtisāb*, 24f., 189–91. The idea goes back to Māwardī (d. 450/1058) (*al-Aḥkām al-sultāniyya*, ed. A. M. al-Baghdādī, Kuwait 1989, 315.5; cf. below, ch. 13, note 45).

⁵¹ Compare, for example, Sunāmī, *Niṣāb al-iḥtisāb*, 190.3, 196.7, with Abū ʿl-Layth, *Bustān*, 127.36 (cf. above, note 43), and Abū ʿl-Layth, *Tanbih*, 101.3 (cf. above, note 38) respectively.

⁵² Taftazānī (d. 793/1390), *Sharḥ al-Maqāṣid*, ed. ʿA. ʿUmayra, Beirut 1989, 5:171–5 (the work is a commentary on his own *Maqāṣid*). For the Ashʿarite character of this work in general, see Gimaret, *Théories de l'acte humain*, 162–4; the account of *al-amr bi'l-ma'rūf* leans heavily on that given by Juwaynī (*Irshād*, 368–70).

⁵³ Taftazānī, *Sharḥ ḥadīth al-Arbaʿin*, 105. The work is a commentary on the collection made by Nawawī (d. 676/1277) (see above, ch. 3, note 7), and in its discussion of *al-amr bi'l-ma'rūf* it cites Nawawī's commentary on Muslim (*ibid.*, 105.9) and the *Iḥyāʾ*, sc. of Ghazzālī (*ibid.*, 105.24). Its literary connections are thus markedly Shāfiʿite, though I do not know the identity of the *Rawḍa* to which it refers (*ibid.*, 105.18). For a slightly later commentary on the same work of Nawawī by the Ḥanafī Burhān al-Dīn al-Khujandī (d. 851/1447f.), see Ḥājī Khalifa, *Kashf al-zunūn*, 59.35; Brockelmann, *Geschichte*, supplementary volumes, 1:683 no. 8a (and probably no. 28); second edition, 1:499 no. 8a. I have not seen it.

⁵⁴ Taftazānī, *Sharḥ al-Maqāṣid*, 5:174.17, 175.12. The first relates to the question of the views of rival law-schools, the second to the proper escalation in response to varying degrees of nakedness (exposure of the knee, the thigh, and finally the genitals).

⁵⁵ Ibn al-Malak (fl. early eighth/fourteenth century), *Mabāriq al-azḥār*, ed. A. ʿA. ʿAbd al-Raḥīm, Beirut 1995, 1:105f. no. 83. The work is a commentary on the *Mashāriq al-anwār* of Ṣaghānī (d. 650/1252). One substantial passage goes back to Zamakhsharī (see below, note 92). ⁵⁶ See below, notes 83, 92–4.

⁵⁷ See above, ch. 4, note 56. I owe the term ‘semi-Ḥanafī’ to Nurit Tsafir; for some of the figures considered in this paragraph, even that may be too much to claim.

associated forbidding wrong with rebellion against unjust rule.⁵⁸ Figures mentioned for their performance of the duty are Salm ibn Sālim al-Balkhī (d. 194/810),⁵⁹ ʿUmar ibn Maymūn al-Rammāh (d. 171/788), and Abū Muṭṭīʿ al-Balkhī (d. 199/814).⁶⁰ A trickle of later Ḥanafī scholars are also mentioned as engaging in forbidding wrong: Naṣr ibn Ziyād (d. 233/847f.), who was chief judge in Nīshāpūr;⁶¹ Yūsuf ibn Yaʿqūb al-Tanūkhī (d. 329/941);⁶² Ismāʿīl ibn Abī Naṣr al-Ṣaffār (d. 461/1068f.), who was killed for it in Bukhārā by the Qarakhānid ruler Shams al-Mulk Naṣr (r. 460–72/1068–80);⁶³ ʿImād al-Dīn al-Lāmishī (d. 522/1128), who would go in to kings and speak the truth in their faces;⁶⁴ and Muḥammad ibn Yaḥyā al-Zabīdī (d. 555/1160), whose commanding and forbidding got him expelled from Damascus around 506/1112.⁶⁵ The most interesting of these figures is Ibn Farrūkh, since he illustrates that early equation of forbidding wrong with rebellion which had so embarrassed Abū Ḥanīfa.

3. THE COMMENTATORS OF THE OTTOMAN PERIOD

Visiting the city of Laodicea (the modern Denizli) in western Anatolia, the traveller Ibn Baṭṭūṭa (d. 770/1368f.) was moved to comment: 'The people of this city do not take action against offences (*lā yughayyirūn al-munkar*), nor do the people of this entire region (*iqḷīm*).'⁶⁶ He went on to give a vivid picture of the prostitution of Greek slave-girls. He was told that their owners included the judge of the town, and that these prostitutes freely entered the bath-houses in the company of their clients.

By the high Ottoman period, things were somewhat less relaxed; but the change affected social mores rather than politics. Ottoman Ḥanafism had its roots in the accommodationist tradition of the Sāmānid north-east, and was comfortable with it. As we would expect from this, forbidding wrong was not in general much discussed in the Ottoman context, and it did not take on the overtly political character that it possessed for Abū Ḥanīfa's interlocutors. In any case, much of the discussion in Ottoman religious

⁵⁸ See below, ch. 14, 385. ⁵⁹ See above, ch. 4, note 71.

⁶⁰ For ʿUmar ibn Maymūn, see above, ch. 4, note 206; for Abū Muṭṭīʿ, see above, ch. 4, note 68.

⁶¹ Ibn Abī ʿl-Wafāʾ, *Jawāhir*, 2:194.1. I owe this and the following references to Nurit Tsafir.

⁶² Khaṭīb, *Taʾrīkh Baghdād*, 14:322.4.

⁶³ Samʿānī, *Ansāb*, 8:318.13. I take him to be a Ḥanafī since his father seems to have been one (Ibn Abī ʿl-Wafāʾ, *Jawāhir*, 1:137.2). ⁶⁴ *Ibid.*, 210.9; Samʿānī, *Ansāb*, 13:464.6.

⁶⁵ Ibn Abī ʿl-Wafāʾ, *Jawāhir*, 2:142.13.

⁶⁶ Ibn Baṭṭūṭa (d. 770/1368f.), *Riḥla*, ed. C. Defrémery and B. R. Sanguinetti, Paris 1853–8, 2:272.2.

literature represents little more than the momentum of literary traditions; often it is a by-product of the writing of commentaries on earlier works which happened to touch on the duty.⁶⁷

One such work is, of course, the Koran. Thus Abū 'l-Su'ūd (d. 982/1574) discusses forbidding wrong in commenting on Q3:104. There is nothing significantly new about the points he makes,⁶⁸ though I am not able to pin down the precise sources he is using.⁶⁹ The treatment of the verse by Ismā'īl Ḥaqqī Brūsevī (d. 1137/1725)⁷⁰ is more transparent in this respect. Leaving aside some traditions, and some passages taken from Abū 'l-Su'ūd,⁷¹ we find here a remarkable literary fossil: material lifted from Zamakhsharī which in some measure perpetuates the doctrine of the Ḥanafī Mu'tazilite Abū 'l-Ḥusayn al-Baṣrī.⁷²

For a somewhat more interesting genre, we can turn to the commentaries on the little collection of forty traditions put together by Nawawī (d. 676/1277), since he included among them the 'three modes' tradition.⁷³ Two Ḥanafī commentaries of this period are those of 'Alī al-Qārī al-Harawī (d. 1014/1606)⁷⁴ and, again, Ismā'īl Ḥaqqī.⁷⁵

Though the commentary of 'Alī al-Qārī provides one of the richer treatments of the duty in Ḥanafī literature, its sources are largely Shāfi'ite. This is not altogether surprising. It was Nawawī, a Shāfi'ite, who put the collection together; it was Nawawī who wrote the classic exposition of the 'three modes' tradition;⁷⁶ and it was the Shāfi'ites who produced most of the subsequent commentaries on the forty traditions.⁷⁷ Though it is hard to be

⁶⁷ I have not attempted to be comprehensive in my coverage of this literature. For example, while I cite Ya'qūb ibn Seyyid 'Alī's *Sharḥ Shir'at al-Islām*, I give no systematic treatment of it.

⁶⁸ Abū 'l-Su'ūd, *Irshād*, 1:528–530. He stresses that the duty, while incumbent on all, is a collective one, and that it requires knowledge of law and of the principle of escalation to perform it correctly (*ibid.*, 528.9).

⁶⁹ He has material in common with Zamakhsharī (cf. *Irshād*, 1:528.15 with *Kashshāf*, 1:396.11) and Bayḍawī (cf. *Irshād*, 1:528.20 with *Anwār*, 2:35.13); some of what he shares with Zamakhsharī is not found in Bayḍawī.

⁷⁰ Ismā'īl Ḥaqqī Brūsevī (d. 1137/1725), *Rūḥ al-bayān*, Istanbul 1389, 2:73–5.

⁷¹ *Ibid.*, 73.25, 73.32, 74.27; cf. Abū 'l-Su'ūd, *Irshād*, 1:528.9, 528.18, 530.1.

⁷² Ismā'īl Ḥaqqī, *Rūḥ al-bayān*, 2:73.29, 74.1, 74.16; cf. Zamakhsharī, *Kashshāf*, 1:396.10, 397.3, 397.9. For Abū 'l-Ḥusayn, see above, ch. 9, 218. For the fortunes of this passage in mainstream Ḥanafī literature, see also below, note 92.

⁷³ For this genre, see above, ch. 3, note 7. ⁷⁴ 'Alī al-Qārī, *Mubīn*, 188–94.

⁷⁵ Ismā'īl Ḥaqqī, *Sharḥ al-Arba'īn ḥadīthan*, 336–41. The somewhat later commentary of Muḥammad Hayāt al-Sindī (d. 1163/1750) is notable for its weepiness with regard to the corruption of the times (*Sharḥ al-Arba'īn al-Nawawīyya*, ed. Ḥ. A. al-Ḥarīrī, Dammām 1995, 105.9).

⁷⁶ Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:380–6. In his own commentary to his *Arba'īn*, he gives only a brief treatment of the tradition which will hardly concern us (*Sharḥ maṭn al-Arba'īn*, 91f.).

⁷⁷ Two relevant commentaries are those of Taftazānī (see above, note 53) and Ibn Ḥajar al-Haytamī (d. 974/1567) (*Faṭḥ*, 244–8).

sure in exactly what form ‘Alī al-Qārī had access to this Shāfi‘ite tradition, it is clear that he drew on it extensively.⁷⁸ At the same time, the only non-Shāfi‘ite source I can identify in his account is Ḥanbalite.⁷⁹ He seems insensitive to the non-Māturīdite background of the material he is adopting.⁸⁰

In what ways, then, does ‘Alī al-Qārī represent a Ḥanafī tradition⁸¹ – or, indeed, himself? There are a number of doctrinal points he puts forward that do not derive from the non-Ḥanafī sources with which I have compared his account; but their Ḥanafī provenance is not thereby secured. Thus he affirms that death incurred in performance of the duty is rewarded;⁸² he discusses the problem of the descending order in which the modes are presented in the tradition;⁸³ he mentions the unusual idea that the immersion of the mystic in the depths of absolute existence might be an excuse – though an unconvincing one – for not performing the duty;⁸⁴ he speculates that performance in the heart may actually mean performance by means of the heart through the mustering of a sort of mental energy (*himma*) which, through divine intervention, may actually bring about the desired result.⁸⁵

There is, however, one theme which we can with some confidence identify as a Ḥanafī contribution. ‘Alī al-Qārī tends to see the duty within a notably hierarchical conception of society. He quotes the tripartite saying assigning the modes by social categories.⁸⁶ Unlike most authors who

⁷⁸ There are numerous parallels with Nawawī’s *Sharḥ Ṣaḥīḥ Muslim* (e.g. ‘Alī al-Qārī, *Mubīn*, 188.13; Nawawī, *Sharḥ*, 1:382.4); three with Taftazānī’s *Sharḥ ḥadīth al-Arba‘in* (‘Alī al-Qārī, *Mubīn*, 189.14, 189.19, 189.21; Taftazānī, *Sharḥ*, 105.7, 105.9, 105.12); and a good many further parallels with Ibn Ḥajar al-Haytamī’s *Fath* (e.g. ‘Alī al-Qārī, *Mubīn*, 188.7, 190.12; Ibn Ḥajar al-Haytamī, *Fath*, 244.20, 246.4). Nawawī and Taftazānī may be among ‘Alī al-Qārī’s immediate sources; my impression is that Ibn Ḥajar al-Haytamī is drawing on a common source.

⁷⁹ ‘Alī al-Qārī quotes and acknowledges the *Ghunya* of ‘Abd al-Qādir al-Jilī at *Mubīn*, 194.12 (cf. *Ghunya*, 1:59.25); he quotes it without acknowledgement at *Mubīn*, 193.27 (cf. *Ghunya*, 1:57.24). The first passage, on the distinction between wrongs that members of the laity may seek to put right and those with regard to which only scholars are qualified to act, goes back to the Ḥanbalite Abū Ya‘lā (see above, ch. 6, note 124), who in turn is likely to have it from a Mu‘tazilite source (cf. above, ch. 9, note 70 on the doctrine of ‘Abd al-Jabbār). The second, about the importance of undertaking the duty with good intentions, goes back to none other than Abū ‘l-Layth al-Samarqandī (see above, note 38). That ‘Alī al-Qārī should be indebted to a Ḥanbalite for Mu‘tazilite and Ḥanafī material shows how far the processes of inter-school borrowing had reached by his time.

⁸⁰ The phrase *ad‘af al-īmān* in the tradition is problematic from a Māturīdite point of view (cf. above, note 33, and the words *al-īmān yazīd wa-yanguṣ* in Nawawī’s chapter heading, *Sharḥ Ṣaḥīḥ Muslim*, 1:380.18); but ‘Alī al-Qārī, unlike Ismā‘īl Ḥaqqī, does not respond strongly (*Mubīn*, 189.11; cf. below, note 94).

⁸¹ For what he has to say about Abū Ḥanīfa see above, notes 12f. ⁸² *Ibid.*, 190.14.

⁸³ *Ibid.*, 191.3. Cf. also Ibn al-Malak, *Mabāriq*, 1:105.13, whence Ya‘qūb, *Sharḥ*, 500.9, and above, ch. 11, 263f. ⁸⁴ ‘Alī al-Qārī, *Mubīn*, 193.19.

⁸⁵ *Ibid.*, 194.17; cf. above, ch. 7, 162, and below, ch. 16, 462–4. Faith, as he says, can move mountains (*himmat al-rījāl tahudd al-jibāl*).

⁸⁶ *Ibid.*, 188.21; he is quoting a Ḥanafī source, the *Khizānat al-muṭṭin* of Ḥusayn ibn

mention this saying, he is prepared to take it seriously as doctrine. He extends the category of scholars (*‘ulamā’*) to include saints (*awliyā’*), and that of officers of state (*umarā’*) to include (other) powerful people (*aqmiyā’*). He takes pride in the fact that he has not seen this analysis in the works of earlier commentators.⁸⁷ It is of a piece with this, though less distinctive, that he uses material that lays stress on the role of the scholars, and on the failings of those of the day.⁸⁸ Likewise it is typical that a passage he cites with explicit approval from a Ḥanbalite source concerns the differing roles of scholars and laity in performing the duty.⁸⁹ In short, he can be taken to represent the accommodationist tendencies of Ḥanafism.

Ismā‘īl Ḥaqqī, as might be expected, makes extensive use of ‘Alī al-Qārī’s commentary.⁹⁰ He also has a couple of acknowledged borrowings from Ghazzālī (d. 505/1111),⁹¹ and as in his Koran commentary he appropriates a substantial block of material deriving from Zamakhsharī,⁹² thereby rendering the thought of Abū ‘l-Ḥusayn into Turkish. Towards the end of his account he has a good deal of material whose sources I have mostly

Muḥammad al-Sam‘ānī (writing in 740/1339, see Ḥājī Khalifa, *Kashf al-zunūn*, 703.22). He also works a version of the saying into his commentary on the *‘Ayn al-‘ilm* (*Sharḥ ‘Ayn al-‘ilm*, 1:438.21).

- ⁸⁷ ‘Alī al-Qārī, *Mubīn*, 191.11.
⁸⁸ *Ibid.*, 191.25, 192.16. He speaks of them as being among those individually obligated (*mimman yata‘ayyan ‘alayhi*) to perform the duty (*ibid.*, 191.26). The first passage at least is not his own, since there is a close parallel in the commentary of the Mālikī Tāj al-Dīn al-Fākihānī (d. 734/1234) on the tradition (*al-Manhaj al-mubīn*, ms. Princeton, Garrett 749H, f. 99a.12; for this manuscript, see Hitti, *Catalog*, 434 no. 1432).

- ⁸⁹ See above, note 79.

- ⁹⁰ The first two pages of his treatment consist largely of passages from the first two pages of ‘Alī al-Qārī’s – rearranged, paraphrased and translated into Turkish. There are also a few further borrowings later in the account (cf., for example, Ismā‘īl Ḥaqqī, *Sharḥ*, 339.21, with ‘Alī al-Qārī, *Mubīn*, 190.12).

- ⁹¹ Ismā‘īl Ḥaqqī, *Sharḥ*, 338.4, 340.4. The first is Ghazzālī’s five stages of escalation (*Iḥyā’*, 2:289.3, cf. below, ch. 16, 431); the second is a statement of the importance of performing the duty against heresy (*ibid.*, 299.26, cf. below, ch. 16, 437).

- ⁹² Ismā‘īl Ḥaqqī gives an account of the conditions for forbidding wrong (*Sharḥ*, 339.14–340.4) which is at once a truncated and expanded version of Zamakhsharī, *Kashshāf*, 1:397.12–398.1. His expansions include the pleasing argument that you cannot rebuke a man simply because he has a pot of wine beside him, since after all he also has with him the means of adultery (*anın yanında âlet-i zinâ dakhil vardır*) (*Sharḥ*, 339.18). Expansions apart, the passage overlaps that in his Koran commentary (see above, note 72), but is closer to a block of material found in Ibn al-Malak, *Mabāriq*, 1:106.3 (whence Ya‘qūb, *Sharḥ*, 496.2), and in Rajab ibn Aḥmad al-Āmidī (writing 1087/1676), *al-Wasīla al-Aḥmadiyya*, Istanbul 1261, 2:761.6. Thus *wuqū‘ al-ma‘ṣiya* at Rūb, 2:74.20 preserves the wording of *Kashshāf*, 1:397.16; by contrast, the other sources mentioned have the paraphrase *annahu yaf‘aluhu*, to which the *işleyeceğine* of Ismā‘īl Ḥaqqī, *Sharḥ*, 339.17 corresponds (Ibn al-Malak, *Mabāriq*, 1:106.6; Ya‘qūb, *Sharḥ*, 496.3; Rajab, *Wasīla*, 2:761.8). On the other hand, all these versions reflect a common source downstream of the *Kashshāf*, since they share an ordering of the conditions that departs from Zamakhsharī’s and, more seriously, the total loss of Abū ‘l-Ḥusayn’s basic distinction between the conditions under which it is good to proceed and the conditions of obligation to do so.

been unable to identify; some of this, and much of the material inserted in among the earlier borrowings, is doubtless his own.⁹³

Unlike 'Alī al-Qārī, Ismā'īl Ḥaqqī displays a marked Māturīdite allegiance.⁹⁴ He also allows his account to take on a little more historical colour; he is, after all, writing in his vernacular, which 'Alī al-Qārī was not. Thus where 'Alī al-Qārī spoke of the powerful, Ismā'īl Ḥaqqī gives as an instance 'the notables of every town'.⁹⁵ In one respect, however, his thinking is significantly in tune with 'Alī al-Qārī's. He too seems to take the tripartite division of labour seriously. What the hand wields is the sword and the spear; these are to be used to destroy churches, taverns and the like. The work of the tongue is proofs and demonstrations; these are to be used to eliminate the doubts and superstitions of the people. The role of the heart is to avow and submit (*i'tirāf ve idh'ān*).⁹⁶ He also sees fit to insert an explicit condemnation of rebellion against the state (*sultān*),⁹⁷ and modifies the doctrine of Ghazzālī to exclude harshness when a subject (*ra'īyet*) rebukes a ruler (*sultān*).⁹⁸ He does retain a positive attitude towards martyrdom incurred in forbidding wrong,⁹⁹ but in general he too shows accommodationist tendencies.

The case of Ismā'īl Ḥaqqī brings us to another characteristic form of Ḥanafī literary dependence on non-Ḥanafī sources: the appropriation, whether acknowledged or not, of material from Ghazzālī. The oldest example we possess is perhaps a Ḥanafī abridgement of Ghazzālī's *Revival*

⁹³ He slips in a reference to opium addicts (*ibid.*, 339.24), and discusses Šūfis, who are not to be declared innovators (*ehl-i bid'at*) since of their twelve groups, one is orthodox (*ehl-i sünnet*) (*ibid.*, 340.8; for his borrowing of a passage from the Koran commentary of Muḥyī 'l-Dīn ibn al-'Arabī (d. 638/1240), see below, ch. 16, note 279). On the other hand, the point that the notion of changing in the heart makes no literal sense (*ibid.*, 337.25) is not his, since it appears already in Rajab, *Wasīla*, 2:760.24, and before that in Ibn al-Malak, *Mabāriq*, 1:105.12, and Nawawī, *Sharḥ matn al-Arba'in*, 92.7.

⁹⁴ He repeats material which rises to the challenge posed by *ad'af al-imān*, setting out the doctrine of 'the Ḥanafīs' on faith as against that of Shāfi'ī (Ismā'īl Ḥaqqī, *Sharḥ*, 338.21; cf. Ya'qūb, *Sharḥ*, 500.23, and before him Ibn al-Malak, *Mabāriq*, 1:106.9; contrast Khādīmī (d. 1176/1762f.), *Barīqa Maḥmūdiyya*, Cairo 1348, 3:245.5).

⁹⁵ Ismā'īl Ḥaqqī, *Sharḥ*, 337.14 (*her şehrde vüjuh ül-garv gibi*); cf. above, note 87. Cf. his reference to the workings of patronage in protecting wrongdoers in his time (*ibid.*, 337.15).

⁹⁶ *Ibid.*, 340.21. He writes as if performance other than in the heart is for officers of state and scholars (*ibid.*, 337.21).

⁹⁷ *Ibid.*, 337.19. This is appended to a passage taken from 'Alī al-Qārī (*Mubīn*, 189.14), who there commends not stirring up sleeping *fitna*.

⁹⁸ Ismā'īl Ḥaqqī, *Sharḥ*, 338.8 (cf. above, note 91). Ismā'īl Ḥaqqī is drawing on Ghazzālī, *Iḥyā'*, 2:291.11, 292.2 (cf. below, ch. 16, 432); but he simplifies the discussion in a quietist direction, and ignores Ghazzālī's explicit approval of harshness to rulers in cases where this will not cause harm to others (*ibid.*, 314.5, cf. below, ch. 16, 446).

⁹⁹ Ismā'īl Ḥaqqī, *Sharḥ*, 339.27; cf. above, note 82.

of the religious sciences.¹⁰⁰ The treatment of forbidding wrong found in this abridgement¹⁰¹ is unremarkable except, perhaps, for the omission of all mention of the use of weapons and of the participation of armed helpers.¹⁰² Other authors quote passages from Ghazzālī in the course of their works: such is the case with Ya‘qūb ibn Seyyid ‘Alī (d. 931/1524f.),¹⁰³ Kemālpāshāzāde (d. 940/1534),¹⁰⁴ Maḥmūd ibn Muḥammad al-Qarabāghī (tenth/sixteenth century?)¹⁰⁵ and later authors.¹⁰⁶

The first Ottoman scholar – though not, as we shall see, the last – to engage in wholesale plagiarism of Ghazzālī’s analysis of forbidding wrong was Ṭāshköprizāde (d. 968/1561).¹⁰⁷ Beyond the fact of literary dependence, the most interesting feature of his account is his toning down of Ghazzālī’s views on the use of violence by ordinary believers in the performance of the duty. Thus one significant question on which Ṭāshköprizāde departs from Ghazzālī’s doctrine is the circumstances under which the permission of the authorities is required. Ghazzālī had set out a schema of five levels (*marātib*) of response to wrong: (1) informing one

¹⁰⁰ Balkhī, ‘*Ayn al-‘ilm*, apud ‘Alī al-Qārī, *Sharḥ ‘Ayn al-‘ilm*. Internal evidence establishes the Ḥanafī allegiance of the author (*ibid.*, 1:48.1), but does not help with his identity or date. The work is often, and perhaps correctly, ascribed to Muḥammad ibn ‘Uthmān al-Balkhī (see Ismā‘īl Pāshā al-Baghdādī (d. 1339/1920), *Hadiyyat al-‘arīfīn*, Istanbul 1951–5, 2:187.3, with the death date 830/1426f.; Brockelmann, *Geschichte*, supplementary volumes, 1:749 no. 17). I follow this ascription; ‘Alī al-Qārī, however, knows only that the author of the ‘*Ayn al-‘ilm* was an Indian or Balkhī scholar (*Sharḥ ‘Ayn al-‘ilm*, 1:3.3). ¹⁰¹ *Ibid.*, 433–49.

¹⁰² *Ibid.*, 442.3. ‘Alī al-Qārī in his commentary mentions helpers, but not weapons (*ibid.*, 442.19).

¹⁰³ He makes extensive use of the *Ihyā’* in his commentary on Imāmzāda’s *Shir‘at al-Islām*, mostly with acknowledgement. Thus substantial quotations of analytical material are found in his *Sharḥ Shir‘at al-Islām*, 501.20, 503.12, 504.30 (from Ghazzālī, *Ihyā’*, 2:292.13, 302.14, and 291.11 respectively). Ghazzālī is referred to as *al-imām al-Ghazzālī* (*Sharḥ*, 502.16, 504.30), or simply as *al-imām* (*ibid.*, 501.20, 503.12).

¹⁰⁴ Kemālpāshāzāde (d. 940/1534), *al-Risāla al-munīra*, n.p. 1296, 35.10, quoting the opening of Ghazzālī’s discussion of *al-amr bi’l-ma‘rūf* in his *Kimīyā-yi sa‘ādat* (cf. below, ch. 16, note 4); for this epistle, see Atsız, ‘Kemalpaşa-oğlu’nun eserleri’, *Şarkıyat Mecmuası*, 7 (1972), 117f. no. 170.

¹⁰⁵ Maḥmūd ibn Muḥammad al-Qarabāghī (tenth/sixteenth century?), *Muḥāḍarāt*, ms. Qumm, Mar‘ashī Library, no. 473, f. 35a.1 (quoting *Ihyā’*, 2:313.27); f. 35b.2 (quoting *Ihyā’*, 2:286.2). The discussion of *al-amr bi’l-ma‘rūf* in this source occupies ff. 34a–35b. I take the author to be a Ḥanafī (he refers to Abū Ḥanīfa at f. 34a.4, and cf. f. 35b.7). The main indications of dating are a mention of Dawānī (d. 908/1502) on the one hand (f. 34b.5), and the date of copying – 1039/1630 – on the other (for this, and a description of the manuscript, see M. Mar‘ashī and A. Ḥusaynī, *Fibriṣ-i nuskhahā-yi khaṭṭī-i Kitābkhāna-i ‘umūmī-i ḥaḍrat-i Ayatullāh al-‘uzmā Najafī Mar‘ashī*, Qumm 1354–sh., 2:78f. no. 473).

¹⁰⁶ For Ismā‘īl Ḥaqqī, see above, notes 91, 98. See also below, notes 145, 154, and, for modern times, below, section 5.

¹⁰⁷ Ṭāshköprizāde (d. 968/1561), *Miftāḥ al-sa‘āda*, ed. K. K. Bakrī and ‘A. Abū ‘l-Nūr, Cairo 1968, 3:301–10.

who acts wrongly out of ignorance; (2) polite admonition; (3) harsh language; (4) forcible prevention through attacking offending objects; and (5) the threat or actual use of violence against the person of the offender.¹⁰⁸ Of the fifth, he says that it is arguable (*inna fihā naẓaran*) whether or not it needs the permission of the authorities;¹⁰⁹ Ṭāshköprizāde, by contrast, holds that for Ghazzālī's fifth stage the permission of the ruler (*idhn al-imām*) is required.¹¹⁰ He displays a similar attitude when he comes to a passage in which Ghazzālī says that someone performing the duty (*al-muḥtasib*, in his distinctive terminology) will use weapons where he has to, provided this will not lead to disorder (*fitna*), for wrong must be prevented by any means possible.¹¹¹ Ṭāshköprizāde, however, prefers to take this to refer to the officially appointed censor (*al-muḥtasib*, in normal usage), for he immediately adds that the individual subject (*‘āmmī*) is never under any circumstances to take up arms.¹¹² Ghazzālī then turns to the question of enlisting the support of armed helpers (*a‘wān*), and notes that there is disagreement as to whether this requires the permission of the ruler (*idhn al-imām*).¹¹³ Some say that this is not for individual subjects (*āḥād al-ra‘īyya*), since it leads to disorder; others say that no such permission is needed, which is the more logical (*aqvas*) position, and accordingly endorsed by Ghazzālī – though he adds that such eventualities will be rare. Ṭāshköprizāde likewise mentions both views, but comes down on the other side of the fence: such action is not allowed without permission, since it may lead to disorder, though but for this logic would allow it.¹¹⁴

The other Ḥanafī author of this period who depends heavily on Ghazzālī is ‘Iṣmat Allāh ibn A‘ẓam ibn ‘Abd al-Rasūl (d. 1133/1720f.), a resident of Sahāranpūr in northern India who in 1091/1680f. wrote a work on forbidding wrong.¹¹⁵ This work is a free rendering of Ghazzālī's

¹⁰⁸ See below, ch. 16, 431. This schema seems to be a primitive version of the eight levels (*darajāt*) set out later in the account (see below, ch. 16, 438–41).

¹⁰⁹ Ghazzālī, *Iḥyā’*, 2:289.9.

¹¹⁰ Ṭāshköprizāde, *Miftāḥ*, 3:303.9. Contrast the doubt expressed by Khādīmī regarding Ṭāshköprizāde's view on this point (*Barīqa*, 3:244.16).

¹¹¹ Ghazzālī, *Iḥyā’*, 2:304.26; cf. below, ch. 16, 441.

¹¹² Ṭāshköprizāde, *Miftāḥ*, 3:307.18.

¹¹³ Ghazzālī, *Iḥyā’*, 2:304.34; cf. below, ch. 16, 441.

¹¹⁴ Ṭāshköprizāde, *Miftāḥ*, 3:307.23.

¹¹⁵ ‘Iṣmat Allāh ibn A‘ẓam ibn ‘Abd al-Rasūl (d. 1133/1720f.), *Raḡīb bāb al-ma‘rūf wa’l-munkar*, ms. London, India Office, Delhi (Persian) 219, ff. 1a–32b; note that folios 7 and 8 should be transposed. For this manuscript, see C. A. Storey, A. J. Arberry and R. Levy, *Catalogue of the Arabic manuscripts in the Library of the India Office*, vol. 2, London 1930–40, 276f. no. 1697. The author gives his name (mentioning also his residence in Sahāranpūr), the date of composition and the title (which is a chronogram) at the beginning of the work (*Raḡīb*, f. 1a.6, 1a.17). Levy states the title as *Kitāb bayān al-amr bi’l-ma‘rūf wa’l-nahy ‘an al-munkar*; this, however, is a misunderstanding of the author's

treatment of the duty, the overall structure of which it retains despite the addition of some chapters.¹¹⁶ When following Ghazzālī, he freely recasts, omits, or adds material,¹¹⁷ but the changes are rarely of much significance. In particular, he shows little discomfort with Ghazzālī's views on the role of violence. On the question of the need for permission from the authorities, he reproduces Ghazzālī's view;¹¹⁸ he does the same when he comes to the right of the individual to have recourse to arms where necessary,¹¹⁹ and even with regard to the gathering of armed bands¹²⁰ – though in this last instance he adds that anyone performing the duty should consider the question very carefully.¹²¹ This may reflect a difference between the high Ottoman and late Moghul contexts, or it may simply mean that 'Iṣmat Allāh is under-supplied with views of his own. Certainly there is little in his work that speaks to the conditions of his own place and time.¹²²

4. BIRGILI AND HIS HEIRS

One Ottoman scholar who wrote on the duty directly, and not simply as a commentator on an earlier text, was Birgili Meḥmed Efendi (d. 981/1573).¹²³ He mentions the duty of forbidding wrong without elaboration

description of his work: *wa-inna hādihā kitāb fī bayān al-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar* (f. 1a.16). Levy adds a useful table of contents. There has been some confusion about the date of the death of 'Iṣmat Allāh; I follow 'Abd al-Ḥayy al-Ḥasanī (d. 1341/1923), *Nuzhat al-khawāṭir*, Hyderabad 1947–70, 6:181.10 (with a description of the *Raḡīb*). I am indebted to Yohanan Friedmann for assistance with this author.

¹¹⁶ In the table of contents given by Levy, the following have no equivalent in the *Iḥyā'*: the introduction (on the meaning of *ma'rūf* and *munkar*); the fifth chapter (on heretics who believe in not bothering people); the seventh chapter (on government); and the concluding section (on the Rāshidūn). In the seventh chapter, the list of the twenty rights of Muslim subjects against their ruler includes the duty of the latter to command right and forbid wrong (*Raḡīb*, f. 31a.5). 'Iṣmat Allāh gives no indication of the extent of his dependence on Ghazzālī.

¹¹⁷ For example, he transposes Ghazzālī's second and fourth *rukns* (*ibid.*, ff. 9b.20, 11b.21; cf. below, ch. 16, 428f. and note 11), and inserts into Ghazzālī's survey of common wrongs a long treatment of cemeteries (*ibid.*, ff. 14b.13–16b.13). He introduces the phrase *i'zāz dīn Allāh* (*ibid.*, f. 8a.24, and cf. f. 8b.6), though not in the context of the danger condition (cf. above, note 38). ¹¹⁸ *Ibid.*, f. 8a.12. ¹¹⁹ *Ibid.*, f. 10b.25.

¹²⁰ *Ibid.*, f. 10b, line 14 of the passage in the right margin. ¹²¹ *Ibid.*, f. 11a.8.

¹²² This is an Indian writer for whom common people express themselves in Persian (*ibid.*, f. 12a.9, 17a.8). He does, however, update Ghazzālī's survey of common wrongs (see below, ch. 16, 442–6) with a reference to the reek of tobacco (*ibid.*, f. 13a.13), and he addresses an Indian heresy in his diatribe against those who hold with leaving people alone and being friendly to every infidel sect (*ibid.*, ff. 17a.7–19a.17; see below, ch. 16, 467f.).

¹²³ I use the form 'Birgili' (rather than 'Birgivi' or the like) in the light of the comments of Atsız, *İstanbul kütüphanelerine göre Birgili Mehmet Efendi (929–981 = 1523–1573) bibliyografyası*, İstanbul 1966, 1.

in a little popular handbook of religious obligations written in Turkish.¹²⁴ This in turn caused the commentators on this work to attend to the subject;¹²⁵ the only point of interest amid the old and familiar ideas they present is that harsh talk seems to be something for state officials to undertake.¹²⁶ Birgili gives a more substantial treatment of the duty in a pietistic work written in Arabic and heavily loaded with traditions.¹²⁷ Most of what he has to say there is again familiar: the duty is collective given the power to perform it and the absence of (anticipated) harm;¹²⁸ the sinner too is obligated;¹²⁹ one must not merely forbid offenders, but also avoid socialising with them;¹³⁰ harsh talk is in place where polite talk does not suffice.¹³¹ But two things are suggestive enough to give us pause. First, the saying about the tripartite division of labour is quoted, and even attributed to Abū Ḥanīfā, but only as a minority view;¹³² most scholars, Birgili says, hold that all three modes are incumbent on everyone, and this is what one goes by in giving legal opinions.¹³³ Abū 'l-Layth, by contrast, had merely mentioned the two views one after the other.¹³⁴ Secondly, Birgili holds that one may proceed even where this will lead to certain death; one thereby enters the ranks of the most excellent of martyrs¹³⁵ – he quotes the appropriate traditions.¹³⁶ This endorsement of martyrdom is not, of course, new among the Ḥanafis,¹³⁷ but the language he uses is uncharacteristically

¹²⁴ Birgili (d. 981/1573), *Risāla* (in Turkish), n.p. 1300, 44.2. For the work, see Atsız, *Birgili Mehmet Efendi*, 5. It was popular in both senses: there are 110 manuscripts of it in Istanbul alone (*ibid.*, 6–11).

¹²⁵ Qāḍīzāde Aḥmed ibn Mehmed Emīn (d. 1197/1783), *Jawhara-i bahiyya-i Ahmadiyya* (in Turkish), Bülāq 1240, 256f.; Ismā'īl Niyāzī (thirteenth/nineteenth century), *Sharḥ-i Niyāzī 'alā 'l-Qūnawī* (in Turkish), Istanbul 1264, 277f. The latter is a commentary on that of 'Alī Ṣadrī al-Qūnawī, for whom I have no biographical information. For Qūnawī's commentary, I have also consulted ms. Princeton, Third Series 190, f. 75a.3.

¹²⁶ Niyāzī, *Sharḥ*, 278.8. Qāḍīzāde adduces the tripartite saying (Qāḍīzāde, *Jawhara*, 256.23).

¹²⁷ Birgili (d. 981/1573), *al-Tarīqa al-Muḥammadiyya*, Cairo 1937, 147f. For the work, see Atsız, *Birgili Mehmet Efendi*, 15; there are no fewer than 221 manuscripts in Istanbul (*ibid.*, 16–32). The weight of traditions in the work is reminiscent of Imāmzāda's *Shir'at al-Islām* and Fāryābī's *Khālīṣat al-ḥaqā'iq*; whether we should see in this an indication of the persistence of a traditionalist trend in Ḥanafism, antithetical to the predominant Māturīdite theology, is more than I can say. ¹²⁸ Birgili, *Tarīqa*, 147.3.

¹²⁹ *Ibid.*, 147.11. ¹³⁰ *Ibid.*, 148.15. ¹³¹ *Ibid.*, 148.19.

¹³² *Ibid.*, 147.9; he adds that it was on this ground that Abū Ḥanīfā held compensation to be payable for broken musical instruments (cf. above, note 13). In the commentary of Khwājāzāde al-Aqshehrī (eleventh/seventeenth century), Abū Ḥanīfā's division of labour is dubbed *al-tawzī' wa 'l-taqṣīm* (*Hāshiya 'alā 'l-Tarīqa al-Muḥammadiyya*, ms. Istanbul, Süleymaniye, Fatih 2,607, f. 92a.10). ¹³³ Birgili, *Tarīqa*, 147.7.

¹³⁴ See above, note 37. ¹³⁵ *Ibid.*, 147.21. ¹³⁶ *Ibid.*, 148.4.

¹³⁷ Cf. above, notes 10, 82, 99. See also 'Alī ibn Muḥammad al-Pazdawī (d. 482/1089), *Uṣūl, apud* 'Abd al-'Azīz ibn Aḥmad al-Bukhārī (d. 730/1329f.), *Kashf al-asrār*, Istanbul 1308, 2:317.1 (in the margin), with Bukhārī's commentary, *ibid.*, 317.6; Pazdawī's statement is quoted in Kemālpashazāde, *al-Risāla al-munīra*, 34.28.

enthusiastic: the duty, according to the scholars, is even more binding than holy war (*al-ḥisba ākad min al-jihād*), since in the latter it is not permitted to take a course involving certain death without military benefit. A zealous, almost radical tone can be detected here, antithetical to the prevailing Ḥanafī climate of accommodation.

Since Birgili quotes both Q3:104 and the ‘three modes’ tradition, the commentators on his work have the opportunity to discuss them once again. I will spare the reader what I have also spared myself, namely any attempt to identify systematically their unacknowledged sources. Let us concentrate rather on Birgili’s radical tone: do the commentators share it, dislike it, or merely bypass it in the humdrum process of exposition? Two of the three commentaries available to me are rather colourless. That of Rajab ibn Aḥmad al-Āmidī (writing in 1087/1676) offers only one feature of interest: the space given to the point that one must not undertake the duty as an ego-trip.¹³⁸ Khādimī (d. 1176/1762f.) gives some attention to resolving the tension Birgili had set up between the ‘three modes’ tradition and the saying about the tripartite division of labour.¹³⁹ This saying, he opines, should be taken as an account of how things usually are (*maḥmūl ‘alā ‘l-a‘amm al-aḡhlāb*): in normal circumstances it is indeed the case that those in a position to execute the duty by hand are attached to the state apparatus, and so forth; but exceptional cases will arise where the doctrine set out in the tradition does not work out in accordance with the saying. This looks like a rehabilitation of the accommodationist perspective with which Ḥanafīs had traditionally felt comfortable. But these are straws in the wind. Much more significant than either of these is the commentary we owe to the Damascene Ḥanafī ‘Abd al-Ghanī al-Nābulusī (d. 1143/1731).¹⁴⁰

‘Abd al-Ghanī does not have much of interest to say about the tripartite formula. He does his job as a commentator by explicating it when he gets to it.¹⁴¹ Later he refers back to the ‘three modes’ tradition in a way that shows that he has taken Birgili’s point;¹⁴² yet towards the end of his

¹³⁸ The point is of course an old one, and what Rajab has to say is derivative. He quotes a passage on the theme that goes back to Abū ‘l-Layth (*Wasīla*, 2:763.2; cf. above, note 38). He returns to it with a story he owes to Sunāmī about a Šūfī who pours out jars of wine, but leaves one intact when he finds that his ego is becoming involved (for this story, see below, ch. 16, note 257). He quotes a saying, also taken from Sunāmī, that the Šūfīs make it a condition (of obligation) that one’s ego should not be involved (see below, ch. 16, note 252).

¹³⁹ Khādimī, *Bariqa*, 3:245.13. Of the attribution of the saying to Abū Ḥanīfa he remarks that this appears not to be a well-known transmission (*ibid.*, 245.16).

¹⁴⁰ ‘Abd al-Ghanī al-Nābulusī (d. 1143/1731), *al-Ḥadiqa al-nadiyya*, Istanbul 1290, 2:290–9. ¹⁴¹ *Ibid.*, 292.1. ¹⁴² *Ibid.*, 293.14.

discussion he would seem to have forgotten that there was ever anything problematic about the saying.¹⁴³

By contrast, there is nothing muted about his reaction to Birgili's enthusiastic comparison of forbidding wrong with holy war.¹⁴⁴ In effect, 'Abd al-Ghanī sets out a new and chastening doctrine of the duty. It rests on two pillars.

The first is a firm distinction between forbidding wrong and censorship (*ḥisba*) – two terms that the influence of Ghazzālī had tended to render synonymous among Ḥanafīs¹⁴⁵ and others alike. So on the one hand we have forbidding wrong, which is a quite general duty to command right and forbid wrong – that and no more.¹⁴⁶ It is purely a matter of the tongue, and carries with it no power or duty of enforcement. Either people listen or they don't: 'No compulsion is there in religion' (Q2:256).¹⁴⁷ And on the other hand we have censorship (*ḥisba*), the duty to enforce right conduct (*ḥaml al-nās 'alā 'l-ṭā'a*).¹⁴⁸ This activity is reserved to the authorities (*ḥukkām*),¹⁴⁹ with one qualification: when an offence is actually being committed (and not after the event), the ordinary believer may intervene

¹⁴³ *Ibid.*, 298.1. By contrast, a Ḥanafī author who sees a clear doctrinal distinction here is 'Abdallāh ibn Ibrāhīm al-Mirghani (d. 1207/1792f.), who wrote a credal poem and a commentary thereon in the style of the Mālikī Laqānī (d. 1041/1631) (cf. below, ch. 14, 374). Mirghani remarks that the plain sense of the 'three modes' tradition is that the modes apply to everyone, and that this is the view of the Mālikīs, Shāfi'ites and many Ḥanafīs; however, some (of the latter) hold to the tripartite division of labour (*Bahr al-'aḡā'id*, ms. Princeton, Yahuda 5,246, f. 216a.11; for this manuscript, see Mach, *Catalogue*, 201 no. 2,351). He also quotes from Marghinānī (d. 593/1197) the view that no layman may proceed against a judge, a *muftī*, or a scholar well known for his learning, since this is bad manners, and where the conduct arises from necessity (*ḍarūra*) the layman may fail to understand this (*ibid.*, f. 216a.14). In general, as might be expected from an author writing in the tradition of Laqānī, Mirghani is very much aware of Mālikī and Shāfi'ite views; thus his three conditions of obligation (*ibid.*, f. 216b.11) clearly derive from such a source (cf. below, ch. 13, note 92, and ch. 14, notes 32–4).

¹⁴⁴ The key passage begins at 'Abd al-Ghanī, *Ḥadīqa*, 2:294.9, and continues to 296.22.

¹⁴⁵ Leaving aside authors in direct literary dependence on Ghazzālī, the term *ḥisba* is clearly being used interchangeably with *al-amr bi'l-ma'rūf* in the saying of the scholars quoted by Birgili at *Ṭarīqa*, 147.21; cf. also the use of the phrase *marātib al-iḥtisāb* in 'Abd al-Aḥad al-Nūrī (d. 1061/1651), *Maw'iza ḥasana*, Istanbul 1263, 49.9 (I am grateful to Şükrü Hanoğlu for obtaining for me a copy of Nūrī's discussion of *al-amr bi'l-ma'rūf*).

¹⁴⁶ 'Abd al-Ghanī, *Ḥadīqa*, 2:293.30, 294.9. The first passage suggests that the paradigmatic form of *al-amr bi'l-ma'rūf* is preaching.

¹⁴⁷ He also quotes Q10:99 and Q18:29 to the same effect. I have not seen Q2:256 used in this way elsewhere, but such a move is already blocked by Taftazānī on the ground that the verse is abrogated (*Sharḥ al-Maḡāṣid*, 5:172.2, 173.2; for the view that the verse is abrogated, see Ṭabarī, *Tafsīr*, 5:414.3).

¹⁴⁸ 'Abd al-Ghanī, *Ḥadīqa*, 2:294.5, 294.13.

¹⁴⁹ *Ibid.*, 292.19, 293.31, 296.30. As to the term *ḥukkām*, in one passage he glosses *umarā'* as *ḥukkām al-siyāsa* and *ḥukkām* as *qāḍīs* and *muḥtasibs* (*ibid.*, 292.1); in another he glosses *amīr* as *ḥakīm* (*ibid.*, 297.11). The separation between forbidding wrong and the exercise of state authority (*milāya*, *ḥukm*) is strikingly absent from 'Abd al-Ghanī's entry on *al-amr bi'l-ma'rūf* in his work on the interpretation of dreams (*Ta'ṭīr al-anām fī ta'bir al-manām*, Cairo n.d., 1:24.11; I owe this reference to Mona Zaki).

(but has no duty to do so).¹⁵⁰ The proof of this position is taken from the role of the ordinary believer in criminal law: if you see a man committing adultery with a woman, then at the time of the crime (but not thereafter) you may (but do not have to) kill him if other means of prevention do not work.¹⁵¹ Failure to make this distinction between forbidding wrong and censorship is common among supposed scholars in our time, and leads to disastrous results.¹⁵² ‘Abd al-Ghanī’s tone in this part of his argument is discouraging, but his substantive doctrine would not in itself preclude much of the activity that is usually part of forbidding wrong.

This is not the case with the second pillar of ‘Abd al-Ghanī’s doctrine, which might be described as neo-Māturīdite.¹⁵³ He lays great stress on having the right motives, and laments the prevalence of the wrong ones in his time: people set out to command and forbid because they crave an ego-trip, or see it as a way to establish a role of power and dominance in society, or to gain the attention of important people, or to win fame, or to attain proximity to the portals of rulers.¹⁵⁴ What is significant here, apart from the unusual elaboration of the theme, is the doctrinal conclusion he draws from this moralising: those whose motives are corrupt are obligated not to undertake the activity.¹⁵⁵ And who in this age of ours could even think, let alone be sure, that his motives were pure?¹⁵⁶ Certainly not those whose obsession with prying into the faults of others makes them blind to their own; so the chances of any scholar in this day and age attaining the martyrdom of which Birgili spoke are negligible.¹⁵⁷ What we need, in short, is less self-righteousness and more self-knowledge.¹⁵⁸ This is something that

¹⁵⁰ ‘Abd al-Ghanī, *Ḥaḍīqa*, 2:294.14, 295.21.

¹⁵¹ *Ibid.*, 294.28. Ibn al-Humām (d. 861/1457), by contrast, regards such action as *min bāb izālat al-munkar bi’l-yad* (*Faṭḥ al-qadīr*, Cairo 1970, 5:346.5; I owe this reference to Everett Rowson). ¹⁵² ‘Abd al-Ghanī, *Ḥaḍīqa*, 2:295.22. ¹⁵³ Cf. above, 311f.

¹⁵⁴ *Ibid.*, 294.19, 296.9; I give only the highlights of this diatribe. The theme has already made its appearance earlier in the commentary with a passage taken from Ghazzālī (*ibid.*, 291.26; cf. Ghazzālī, *Ihyā’*, 2:302.14).

¹⁵⁵ He construes the likelihood of impure motives as an instance of prospective harm (*ḍarar*) to the performer, and hence as voiding the duty under classical doctrine (‘Abd al-Ghanī, *Ḥaḍīqa*, 2:294.18). These psychological hazards (he speaks of them as *maḥāsīd*), unlike the danger of getting killed or the prospect of inefficacy, actually render the activity forbidden, because they are internal to the performer himself (*ibid.*, 296.5).

¹⁵⁶ *Ibid.*, 296.1. He has just explained that Birgili, in speaking of someone who proceeds when death is assured, must be referring to a person who is certain that he is free of the wrong motives (cf. also *ibid.*, 296.12). This is as close as ‘Abd al-Ghanī comes in this discussion to criticising Birgili overtly. ¹⁵⁷ *Ibid.*, 296.14.

¹⁵⁸ This theme also appears in a letter of 1111/1699, in which ‘Abd al-Ghanī discourages his correspondent from busying himself with judging others and engaging in *al-amr bi’l-ma’rūf*; instead, he should be oblivious to the vices of others, and spend his time examining his own soul (‘Abd al-Ghanī al-Nābulūsī (d. 1143/1731), *Murāsālāt*, ed. B. ‘Alā’ al-Dīn, Damascus 1996(?), 328.16; this passage was drawn to my attention in proofs by Barbara von Schlegell). ‘Abd al-Ghanī’s leading proof-text is Q5:105 (*ibid.*, 329.3; cf. above, ch. 2, 30f.). For an earlier adumbration of the theme, cf. above, note 138.

can only be attained through a deep knowledge of Šūfism, which alone confers knowledge, not just of the holy law, but also of how to practise it.¹⁵⁹ The combination of the redrawn distinction between forbidding wrong and censorship on the one hand, and of the Šūfī critique of egotistical and self-righteous pietism on the other, effectively closes the door to the activity Birgili had considered so binding. What is all this about?

We have here one of those rare but rewarding moments when a tradition of academic commentary suddenly gets real. Birgili had been more than an author of much-copied books. He was the inspiration of the Qāḍīzādeli movement, a puritanical reformism which gripped eleventh/seventeenth-century Istanbul under the successive leadership of Qāḍīzāde Meḥmed Efendi (d. 1045/1635f.), Uşūvānī Meḥmed Efendi (d. 1072/1661), and Vānī Meḥmed Efendi (d. 1096/1684f.).¹⁶⁰ These men, and others like them, held official positions as preachers in the major mosques of Istanbul, combining popular followings with support from within the Ottoman state apparatus. Their prime target was none other than Šūfī innovation – the religious tradition to which ‘Abd al-Ghanī was so strongly committed.

Prior to this period, forbidding wrong does not seem to have been a prominent feature of the Ottoman religious scene.¹⁶¹ For the Qāḍīzādeli preachers, however, it was a way of life, and one they engaged in with a wealth of contemporary reference and a conspicuous disrespect for persons.¹⁶² Their followers likewise made it their business to command and

¹⁵⁹ ‘Abd al-Ghanī, *Ḥadiqa*, 2:296.16; he quotes Shādhilī (d. 656/1258). The ignoramuses who set themselves up as devotees of the duty – manifestly lacking such wisdom – delude themselves by reading and misconstruing traditions (*ibid.*, 295.26).

¹⁶⁰ For a survey of the Qāḍīzādeli movement, see M. C. Zilfī, *The politics of piety: the Ottoman ulema in the postclassical age (1600–1800)*, Minneapolis 1988, esp. ch. 4; for a fuller study, see S. Çavuşoğlu, ‘The Qāḍīzādeli movement’, Princeton Ph.D. 1990. A reverberation of the movement in Cairo in 1123/1711 is discussed in R. Peters, ‘The battered dervishes of Bab Zuwayla: a religious riot in eighteenth-century Cairo’, in N. Levtzion and J. O. Voll (eds.), *Eighteenth-century renewal and reform in Islam*, Syracuse 1987; note the appeal to *al-amr bi’l-ma’rūf* (*ibid.*, 95, 103).

¹⁶¹ I have only noted one explicit reference to it in the biographies of Ottoman scholars compiled by Ṭaḥkōprizāde: he describes Mollā ‘Arab (d. 938/1531) – by no means a typical Ottoman scholar – as performing the duty while residing in Constantinople (*al-Shaqā’iq al-Nu’māniyya*, 414.14). Nev’izāde ‘Aṭā’ī (d. 1045/1635) in his continuation of Ṭaḥkōprizāde’s work describes Birgili as performing the duty in his preaching (*Ḥadā’iq al-ḥaqā’iq fī takmilat al-Shaqā’iq* (in Turkish), n.p. 1268, 180.17, and cf. Kātib Chelebi (d. 1067/1657), *Mizān al-ḥaqq* (in Turkish), Istanbul 1306, 122.5).

¹⁶² Zilfī, *The politics of piety*, 137f., 163. As a contemporary epistle puts it, instructing people in their basic religious duties becomes incumbent on preachers (*wu’āz*) as an individual duty by virtue of the very fact that they sit on their chairs (*bi-julūsihim ‘alā ‘l-karāsi*), since the sole point of sitting on these chairs is *al-amr bi’l-ma’rūf*, and such instruction is a form of this (*Risāla-i durar-i ghawwāṣ* (in Arabic), ms. Istanbul, Süleymaniye, Kasıdecizade 663, f. 69b.3; this epistle follows immediately, and in the same hand, on one

forbid: one of them got into trouble in eastern Anatolia when he felt it his duty to mutilate the illustrations in a fine copy of the Persian national epic (the *Shāhnāma*), an action which he regarded as an instance of forbidding wrong; the local authorities instead considered it vandalism, and had him flogged for it.¹⁶³ Not that the response of the authorities was always so negative. The Shaykh al-Islām Zekerīyāzāde Yaḥyā Efendi (d. 1053/1644), who was not in principle well disposed towards the Qāḍīzādelis, remarked that he had found ‘the hypocrites’ (*mürā’iler*) to be courageous in forbidding wrong, and respected by the ignorant masses; so that although their hypocrisy was harmful to themselves, it could be expedient in respect of others.¹⁶⁴ But it could also be dangerous: on one occasion the Qāḍīzādelis made an appeal to all members of Muḥammad’s community to gather the next day with weapons of war to assist in the cause of forbidding wrong.¹⁶⁵ All in all, forbidding wrong was undoubtedly the occasion of much friction between the Qāḍīzādelis and their opponents.

Yet at the time no clear doctrinal issue seems to have emerged with regard to the duty.¹⁶⁶ It was indeed an item on the long list of points of

copied in 1085/1674f. (f. 63a.11); I suspect it to be the work of Vānī Mehmed Efendi, the author of the first epistle in the volume (f. 1b.1)).

¹⁶³ R. Dankoff, *Evlīya Çelebi in Bitlis*, Leiden 1990, 294–9. The Pasha tells the zealot that he has no commission to forbid wrong (*sen nehy-i münker etmeğe me’mur değilsin, ibid.*, 296.29). The incident is cited in Çavuşoğlu, ‘The Qāḍīzādeli movement’, 258.

¹⁶⁴ Na’īmā (d. 1128/1716), *Tārīkh*, Istanbul 1283, 6:238.21, cited in Çavuşoğlu, ‘The Qāḍīzādeli movement’, 152. For the theme of Qāḍīzādeli hypocrisy, compare Na’īmā’s remark that people such as the Qāḍīzādelis adopt the outward form of *al-amr bi’l-ma’rūf* in order to become famous (*taḥşil-i şöhret ve san için*) (*Tārīkh*, 6:228.7, cited in Çavuşoğlu, ‘The Qāḍīzādeli movement’, 10f.).

¹⁶⁵ Na’īmā, *Tārīkh*, 6:235.18, cited in Çavuşoğlu, ‘The Qāḍīzādeli movement’, 147.

¹⁶⁶ Çavuşoğlu summarises a discussion of the performance of the duty by the preacher from a work of ‘Abd ül-Meḥīd Sīvāsī (d. 1049/1639), Qāḍīzāde’s leading opponent: he should avoid causing mischief, respect privacy, have pure motives, refrain from naming names, hold back if his preaching would be ineffective or counter-productive, and speak nicely (‘The Qāḍīzādeli movement’, 253–8). This is clearly a call for restraint, and the references to purity of motive and anonymity may have contemporary relevance, but the ideas are standard. Çavuşoğlu notes Sīvāsī’s references to the *Mawāqif* of İjī (d. 756/1355) and to the *Kashshāf* of Zamakhsharī (*ibid.*, 256); and indeed a key doctrinal passage in Sīvāsī’s account (*Durār-i ‘aḡā’id* (in Turkish), ms. Istanbul, Süleymaniye, Mihrimah Sultan 300, f. 72b.12) is more or less a translation from İjī (*Mawāqif*, with the *Sharḥ* of al-Sayyid al-Sharīf al-Jurjānī (d. 816/1413), ed. T. Soerensen, Leipzig 1848, 331.22). She adds that Qāḍīzāde does not discuss these questions in his writings, and indeed his *Tāj al-rasā’il* (in Turkish) (ms. Istanbul, Süleymaniye, Hacı Mahmud 1,926) and his *Risāla qāmi’a lil-bid’a* (ms. Istanbul, Süleymaniye, Serez 3,876, ff. 47a–76a) make only occasional and uninteresting references to the duty. Vānī Mehmed Efendi, if indeed he is the author of the *Risāla-i durār-i ghawwās* – itself an exercise in *al-amr bi’l-ma’rūf* (see ff. 63b.10, 64b.7) – refers the reader to his epistle on *al-amr bi’l-ma’rūf* (f. 73b.1), but to my knowledge it does not survive. Another opponent of the Qāḍīzādelis who discusses *al-amr bi’l-ma’rūf* is ‘Abd al-Aḥad al-Nūrī (*Maw’iza ḥasana*, 49–57); but he says nothing of significance in the present context.

contention between the two parties.¹⁶⁷ Hence Kātib Chelebi (d. 1067/1657), in a little work that he contributed to the controversy, devoted a section to forbidding wrong,¹⁶⁸ and in the course of it set out a rather rambling account of the conditions of obligation borrowed from Ash'arite sources.¹⁶⁹ His purpose in piling up caveats was to cool the ardour of latter-day 'pretenders' (*müdde'iler*),¹⁷⁰ in other words the Qāḍīzādelis. But while he stated that the common people were ignorant of the restrictions he dwelt on, he gave no indication that the Qāḍīzādelis themselves subscribed to a doctrine that formally sanctioned their more reckless activities.¹⁷¹ The clash articulated in Kātib Chelebi's tract was not between rival doctrines of forbidding wrong, but rather between the zeal of the Qāḍīzādelis and his own realism and common sense. As he remarks elsewhere in the work, once an innovation (*bid'at*) has become firmly rooted, it is fatuous to try to eradicate it in the name of forbidding wrong; the plain fact is that, for better or worse, people will not give up what they are accustomed to.¹⁷² It is only with 'Abd al-Ghanī al-Nābulusī that the friction over the practice of forbidding wrong is elevated to the level of a doctrinal dispute.

5. THE ḤANAFĪS IN THE LATE OTTOMAN PERIOD

Around the time when the Ottoman sultanate was abolished, Osman Nuri [Ergin] (d. 1381/1961) published the first volume of his monumental

¹⁶⁷ See, for example, Na'imā, *Tārīkh*, 6:230.9, where it is the fifteenth of sixteen points.

¹⁶⁸ Kātib Chelebi, *Mizān al-ḥaqq*, 91–6 (= *The balance of truth*, trans. G. L. Lewis, London 1957, 106–9). 'Kātib Chelebi' is an alias of Ḥājī Khalifa.

¹⁶⁹ He states that he has the analysis from two sources: one is the *Abkār al-afkār* of Āmidī (d. 631/1233); the other is the *Mawāqif* of Ījī, with the commentary thereon of al-Sayyid al-Sharīf al-Jurjānī (Kātib Chelebi, *Mizān al-ḥaqq*, 92.3). His exposition of *al-amr bi'l-ma'rūf* is indeed manifestly related to the latter (*Mawāqif*, 331f.), but owes more to the former (*Abkār al-afkār*, ms. Istanbul, Süleymaniye, Aya Sofya 2, 166, ff. 310a–311a; I am much indebted to Şükrü Hanioglu for locating this discussion in the manuscript and obtaining a copy for me). For the conditions themselves, see below, ch. 13, 349f.

¹⁷⁰ Kātib Chelebi, *Mizān al-ḥaqq*, 95.3.

¹⁷¹ For the ignorance of the common people, see *ibid.*, 95.15. At the beginning of his account he states that the Muslim scholars disagree, some of them holding that *al-amr bi'l-ma'rūf* is obligatory absolutely (*muṭlaq vājibdir*), others that it is not (*ibid.*, 91.15). In fact, of course, no Muslim scholars held it to be obligatory without any conditions. The wording seems to derive from Jurjānī's quotation of a passage in which Āmidī draws a contrast: some Rāfīdis make the obligatoriness of *al-amr bi'l-ma'rūf* dependent on the imam, but everyone else holds it to be obligatory 'absolutely' (*muṭlaqan*), i.e. without reference to the imam (Jurjānī, *Sharḥ al-Mawāqif*, apud Ījī, *Mawāqif*, 331.7; the word *muṭlaqan* is not used by Āmidī himself at *Abkār*, f. 310a.14, but does appear at f. 310a.25). Thus there is no reference in these ancient dialectical cobwebs to the Qāḍīzādelis.

¹⁷² Kātib Chelebi, *Mizān al-ḥaqq*, 75.1 (*bir bid'at bir qaymın arasında yerleşüb qarardāde olduḡansonra 'emr bil-ma'rūf ve nehy 'an il-münkerdir' diyü khalqı men' edüb andan döndürmek arzısında olmaq 'azım hamāqat ve jehldir*).

treatise on municipal affairs. Here, as background to his treatment of the role of the censor (*muhtasib*) in urban life, he gave an account of the doctrine of forbidding wrong.¹⁷³ Osman Nuri was a product of the Westernising reforms of the late Ottoman period, but he did not choose to show it here. Instead, he presented an analysis of the duty which is immediately recognisable to the discerning reader as Ghazzālī's. He himself may not, however, have been aware of this. Indeed he stated quite explicitly where he had found his material: he was relying exclusively on a series of articles written by the sometime Shaykh al-Islām Ḥaydarīzāde Ibrāhīm Efendi (d. 1349/1931), and published in a well-known Islamist weekly a few years before.¹⁷⁴ He did in fact reproduce this material with great fidelity,¹⁷⁵ and we can accordingly leave his account aside and go back to his immediate source.

Unlike Osman Nuri, Ḥaydarīzāde saw no reason to name his sources. He opens his first article by remarking on a flurry of recent pronouncements on forbidding wrong that had appeared in the press,¹⁷⁶ and proposes to contribute some clarifications. The following three paragraphs present some of the main Koranic verses bearing on the duty, together with comments; the succession of the verses and the comments make it clear that his source is Ghazzālī.¹⁷⁷ Then, after a brief transition, he switches to a more surprising source: the rest of the article, bar a short concluding paragraph,

¹⁷³ Osman Nuri [Ergin] (d. 1381/1961), *Mejelle-i umūr-i belediye*, Istanbul 1330–8 *mālī*, 1:314–26, drawn to my attention by Şükrü Hanoğlu. The first volume, which was in fact the last to appear, was published in 1338 *mālī*/1922.

¹⁷⁴ *Ibid.*, 315.1. Ḥaydarīzāde Ibrāhīm Efendi's articles were published in Turkish in 1336–7/1918 under the title 'Amr bi'l-ma'rūf, nahy 'an al-munkar' in the weekly *Sebil ürr-Reşād* (15 (1334–5 *mālī*), 65b–66b, 108a–110a, 139b–140b, 161a–162b). For the biography of Ḥaydarīzāde, who came from Irbil and spent his last years in Iraq, see A. Altunsu, *Osmanlı şeyhülislamları*, Ankara 1972, 252f. (with an incorrect Christian death date; this work was drawn to my attention by Şükrü Hanoğlu); B. A. al-Ward, *A'lām al-'Irāq al-ḥadīth*, Baghdad 1978–, 1:37f. no. 25; 'A. al-Ḥasanī, *Ta'riḫ al-wizārāt al-'Irāqīyya*, Sidon 1965–9, 1:196f., with a photograph (both works drawn to my attention by Yitzhak Nakash); also S. H. Longrigg, *'Irāq, 1900 to 1950*, London 1953, 152.

¹⁷⁵ With few and insignificant variations, he copied word for word the second, third and fourth of Ḥaydarīzāde's articles. He made no use of the first article, of which at least the opening paragraphs would have been in place; perhaps he did not have a copy to hand.

¹⁷⁶ A considerable part is played by *al-amr bi'l-ma'rūf* in the rhetoric of two translated articles by the Egyptian 'Abd al-'Azīz Chāwīsh (d. 1347/1929) which had appeared in *Sebil ürr-Reşād* under the title 'Tefsīr-i Qur'ān-i kerīm' (14 (1331–4 *mālī*), 137a–138a, 234b–235b); but it is not clear that Ḥaydarīzāde is responding to these articles in any specific way. For Chāwīsh, see Ziriklī, *A'lām*, 4:17b–c.

¹⁷⁷ Ḥaydarīzāde, 'Amr bi'l-ma'rūf', 65b.15; Ghazzālī, *Iḥyā'*, 2:281.10. In principle he could have been using Ghazzālī indirectly, but I have noted nothing that would indicate this here or in his later articles; the *Iḥyā'* had in any case been available in print for several decades. Ḥaydarīzāde's dependence on Ghazzālī is pointed out in H. Karaman, 'İslâmîda içtimai terbiye ve kontrol', in H. Karaman, *İslâmın ışığında günün meseleleri*, Istanbul 1988, 691.

is doxographic material taken from the treatment of the duty by Ibn Ḥazm (d. 456/1064) in his heresiography.¹⁷⁸ In all this, Ḥaydarīzāde is a far less faithful copyist than Osman Nuri, and he occasionally introduces minor points of his own; but the ultimate provenance of the bulk of the material is beyond doubt.

In the second article he goes back to Ghazzālī, whom he follows despite a good deal of omission.¹⁷⁹ He also diverges from him on a significant point. While there is no indication that Ḥaydarīzāde knew Ṭāshköprizāde's account, he shares his negative attitude towards the use of violence by ordinary believers in forbidding wrong.¹⁸⁰ So just like Ṭāshköprizāde, he insists with regard to Ghazzālī's five levels that the permission of the authorities is indispensable for the fifth.¹⁸¹ Moreover, he returns to this issue at the end of his article in a paragraph that is clearly his own.¹⁸² Here he states that, given the requirements of our time and the present organisation of the state (*zamānın bugünkü icābātīyle devletin teşkilāt-i hādırasına nāẓaran*), the third, fourth and fifth levels would all run foul of the criminal law (*ceẓāyn müstelzim ahvālden 'add edilmiş*); accordingly, the view of those scholars who hold the permission of the authorities to be a condition for the performance of the duty is to this extent to be accepted. This shift away from Ghazzālī's position is likely to reflect two things: one is the pressure of modern conditions, as acknowledged by Ḥaydarīzāde; the other is the traditional Ḥanafī inclination not to rock the boat.¹⁸³ The only other point of interest in this article is the retention of Ghazzālī's explicit inclusion of women among those obligated to perform the duty.¹⁸⁴ The third article continues to follow Ghazzālī, with only minor departures.¹⁸⁵ The fourth does the same, breaking off somewhat arbitrarily with

¹⁷⁸ Ḥaydarīzāde, 'Amr bi'l-ma'rūf', 65b.36; Ibn Ḥazm, *Fiṣal*, 4:171.8. He follows Ibn Ḥazm as far as *ibid.*, 174.23, though towards the end he tends to skip more and more material. The *Fiṣal* too had been available in print for some time.

¹⁷⁹ The section covered is Ghazzālī, *Ihyā'*, 2:285.29–290.20. Ḥaydarīzāde at one point mentions Ghazzālī, but not in such a way as to indicate the extent of his dependence on him ('Amr bi'l-ma'rūf', 109a.26). ¹⁸⁰ See above, 321f.

¹⁸¹ *Ibid.*, 109b.4, and cf. 109b.12. ¹⁸² *Ibid.*, 110a.34.

¹⁸³ Ḥaydarīzāde does not quote the tripartite saying, for all that it had been a favourite of the Hanafīs. It does, however, appear in the commentary of Meḥmed Vehbī (d. 1368–9/1949) to Q3:104 (*Khulāṣat al-bayān* (in Turkish), Istanbul 1341–3, 3:156.9).

¹⁸⁴ Ḥaydarīzāde, 'Amr bi'l-ma'rūf', 108b.1 (contrast the silence of Ṭāshköprizāde, *Miftāḥ*, 3:302.11). Other Ḥanafī authors who include women are Rajāb (*Wasīla*, 2:761.18), 'Iṣmat Allāh (*Raḡīb*, f. 6b.3), 'Abd al-Ghanī (*Ḥadiqa*, 2:297.4), and Mīrghanī (*Baḥr*, f. 216b.4). The context in which 'Abd al-Ghanī makes the point is remarkable: he is commenting on the word *rajul* in a tradition about standing up to an unjust ruler and getting killed for it.

¹⁸⁵ Ḥaydarīzāde consolidates Ghazzālī's discussion of the individual soldier who courts certain death in war with the infidel (compare Ḥaydarīzāde, 'Amr bi'l-ma'rūf', 140a.28 with Ghazzālī, *Ihyā'*, 2:292.30); this may reflect the fact that he was writing in the last

a discussion of damage caused to property by animals.¹⁸⁶ The abrupt ending of the series may reflect the pressures of office: it was a month after the publication of the last article that Ḥaydarīzāde first became Shaykh al-Islām.¹⁸⁷

6. CONCLUSION

The sources used in this chapter could doubtless be considerably extended. But the material surveyed above is enough to establish two things about the Ḥanafī treatment of forbidding wrong.

The first is a certain weakness in the Ḥanafī literary tradition on the subject. Nowhere in Ḥanafī literature have I found an account of the duty that could be described as coherent, systematic and at the same time authentically Ḥanafī. In particular, we have seen a tendency for the Ḥanafī tradition to be penetrated by Shāfi'ite materials, a process nowhere more evident than in the wholesale adoption of Ghazzālī's analysis by a number of Ḥanafī writers.

The second noteworthy feature of the Ḥanafī tradition is what I have called its accommodationist tendencies. As we have seen, the leitmotifs of this disposition were the recurrent theme of the tripartite division of labour, and a nagging discomfort with the more abrasive aspects of Ghazzālī's doctrine.¹⁸⁸ That the Ḥanafīs would incline in this direction was not a foregone conclusion, as we will see in the excursus that follows. But

months of the First World War (for the way in which this touched him, cf. his poem *Trāq ordusuna kbuṭāb* of 1335/1917, Istanbul 1335 *mālī*). He also moves Ghazzālī's discussion of the performer's need for knowledge, scrupulousness and good temper to what is perhaps a more logical position (*Iḥyā'*, 2:305.9; Ḥaydarīzāde, 'Amr bi'l-ma'rūf', 140b.5).

¹⁸⁶ The article corresponds to Ghazzālī, *Iḥyā'*, 2:297.7–301.15, with extensive omissions towards the end. By breaking off at this point, Ḥaydarīzāde fails to go on to cover Ghazzālī's eight levels (*ibid.*, 301–5), his account of commonplace evils (*ibid.*, 307–13), and his long anecdotal section on the performance of the duty against rulers (314–26). With regard to this last, it should be noted that Ḥaydarīzāde does not suppress incidental references to rebuking unjust rulers earlier in Ghazzālī's account (see Ḥaydarīzāde, 'Amr bi'l-ma'rūf', 109b.8, 140a.13).

¹⁸⁷ For his various brief tenures of this office, see İ. H. Danişmend, *İzablı Osmanlı tarihi kronolojisi*, Istanbul 1947–61, 4:561f.

¹⁸⁸ For the tripartite division of labour, see above, notes 12, 37, 49, 86, 96, 126, 132, 139, 141–3, 183; and see also 'Alī ibn Shihāb al-Dīn al-Hamadānī (d. 786/1385), *Dhakhīrat al-mulūk* (in Persian), Lahore 1905, 131.5 (translating and glossing the 'three modes' tradition; this author seems to have shifted from the Hanafī to the Shāfi'ite law-school, see J. K. Teufel, *Eine Lebensbeschreibung des Scheichs 'Alī-i Hamadānī*, Leiden 1962, 12). The Turkish Islamist Mehmet Şevket Eygi sets out the tripartite division in a piece published in *Millî Gazete* for 2 August 1999 under the title 'Kara para' (I am indebted to Şikrî Hanoğlu for supplying me with a copy from the paper's web site). For the toning down of Ghazzālī, see above, notes 98, 102, and 321f., 332; but contrast 323.

there is a consistent line running from the embarrassment of Abū Ḥanīfa at the hands of the goldsmith, through the Sāmānids, and on to the state Ḥanafism of the Ottoman period; it is this bent that is for the most part typical of the Ḥanafism we know from the literary heritage of the school. It was to be the historical role of Ḥanafism to live in symbiosis, not to say collaboration, with Turkish military and political power.¹⁸⁹ In the hard light of history, this development may appear as an adventitious consequence of the geography of the fourth/tenth-century Islamic world. But among Abū Ḥanīfa's followers the belief arose that he had received a supernatural assurance that his school would continue 'as long as the sword remains in the hands of the Turks'.¹⁹⁰ It is characteristic of this symbiosis that even the Qāḍīzādeli radicals owed their positions to the patronage of the Ottoman state.¹⁹¹

7. EXCURSUS: JAṢṢĀṢ

Against the background of the Ḥanafī literary tradition as described in this chapter, one Ḥanafī scholar whose views stand out as anomalous is Abū Bakr al-Rāzī, better known as Jaṣṣāṣ (d. 370/981). This scholar spent most of his life in Baghdad, where he steadfastly resisted the attempts of the caliph al-Muṭṭīʿ (r. 334–63/946–74) to appoint him chief judge.¹⁹² His work on Koranic law contains two significant chapters on forbidding wrong.¹⁹³ The immediate problem is to disentangle the allegiances represented in this material: Ḥanafī, traditionalist, and Muʿtazilite.

The Ḥanafī allegiance is obvious from the work as a whole, in which the views of the founding fathers of the Ḥanafī law-school are repeatedly cited on questions of law. In the chapters that concern us, however, no such place is allotted to their opinions on forbidding wrong; instead, their

¹⁸⁹ There were Ḥanafīs outside the range of this phenomenon, but for the purposes of this study I know almost nothing about them. One who touched on the duty was the Aḥsāʾī Abū Bakr al-Mullā al-Ḥanafī (d. 1270/1853) in his *Naẓm al-Jawābir* (printed at the end of his *Qurʾat al-ʿuyūn al-mubṣira*, Damascus n.d., 2:340); thus he speaks of the need to command and forbid one's leaders (*ruʿūs*) (*ibid.*, 340.9). For this scholar, see Muḥammad ibn ʿAbdallāh Āl ʿAbd al-Qādir, *Tuḥfat al-mustafid bi-taʾrikh al-Aḥsāʾ fī ʿl-qadīm waʿl-jadīd*, Riyāḍ and Damascus 1960–3, 2:106–9.

¹⁹⁰ Rāwandī (writing 599/1202f.), *Rāḥat al-sudūr* (in Persian), ed. M. Iqbāl, London 1921, 17.21.

¹⁹¹ Zilfī notes their significant failure to take on the blood-curdling misdeeds of the Janissaries (*The politics of piety*, 167). ¹⁹² Khaṭīb, *Taʾrikh Baghdād*, 4:314.8, and cf. 314.3.

¹⁹³ Jaṣṣāṣ, *Aḥkām*, 2:29–36, 486–9. The *aḥkām al-Qurʾān* genre, a form of Koran commentary devoted to legal topics, was well established in his time (see Ibn al-Nadīm, *Fihrist*, 57.7; Ḥājī Khalīfa, *Kashf al-zunūn*, 20.3; also below, ch. 14, note 50). Ḥājī Khalīfa notes two earlier Ḥanafī works of this kind, and Ibn al-Nadīm characterises Jaṣṣāṣ's work as Ḥanafī (*ʿalā madhhab ahl al-ʿIrāq*).

teachings are cited only in incidental references to more narrowly legal questions.¹⁹⁴ Nor does Jaṣṣāṣ make any use of the early Ḥanafī sources familiar to us.¹⁹⁵ Thus it is only indirectly, through the anecdote about Abū Ḥanīfa and the goldsmith,¹⁹⁶ together with the tradition transmitted to him by Abū Ḥanīfa,¹⁹⁷ that we learn anything from these chapters about earlier Ḥanafī views of forbidding wrong. This is curious; elsewhere in the work we read that Abū Ḥanīfa believed in the obligatoriness of forbidding wrong by word and sword.¹⁹⁸

The second allegiance is immediately obvious from the profusion of traditions that Jaṣṣāṣ quotes in the course of his presentation. He has two from Abū Dāwūd al-Ṭayālīsī (d. 204/819),¹⁹⁹ nine from Abū Dāwūd al-Sijistānī (d. 275/889),²⁰⁰ a battery of mostly exegetical traditions from Abū ‘Ubayd (d. 224/838f.),²⁰¹ another exegetical tradition from ‘Abd al-Razzāq ibn Hammām al-Ṣan‘ānī (d. 211/827),²⁰² and some six sayings quoted without full chains of transmission.²⁰³ All told, this material comprises a little over a third of the entire coverage of the duty. It would thus be surprising if Sunnī traditionalism had no visible impact on the substance of the views advanced in these chapters. If we look for the tell-tale notion of performance in the heart, we shall not be disappointed: Jaṣṣāṣ duly sets

¹⁹⁴ On such points he cites Abū Ḥanīfa (Jaṣṣāṣ, *Aḥkām*, 2:31.28, 31.29), Shaybānī (d. 189/805) (*ibid.*, 31.27, 36.14), and his own teacher Abū ‘I-Ḥasan al-Karkhī (d. 340/952) (*ibid.*, 36.11; cf. Khaṭīb, *Ta’rīkh Baghdād*, 4:314.2).

¹⁹⁵ Jaṣṣāṣ does not draw on Abū Ḥanīfa’s views as found in the *Fiḥr absaṭ* (see above, ch. 1, notes 24–6). He also passes by the two traditions on *al-amr bi’l-ma’rūf* found in Abū Yūsuf’s *Kharāj* (10.19, 11.2), citing the first from Abū Dāwūd (Jaṣṣāṣ, *Aḥkām*, 2:31.7 = Abū Dāwūd, *Sunan*, 4:509f. no. 4,338), and ignoring the second.

¹⁹⁶ Jaṣṣāṣ, *Aḥkām*, 2:33.5 (see above, ch. 1, note 4).

¹⁹⁷ *Ibid.*, 34.17 (see above, ch. 1, note 20). The key figure in the *isnād* of this tradition is Abū Bishr al-Muṣ‘abī (d. 323/935), a Marwazī who had a reputation as a staunch Sunnī but a great liar in matters of *ḥadīth* (see Dhahabī, *Tadhkira*, 803f. no. 793, and Sam‘ānī, *Ansāb*, 12:292.8); he was presumably a Ḥanafī.

¹⁹⁸ Jaṣṣāṣ, *Aḥkām*, 1:70.21 (drawn to my attention by Patricia Crone).

¹⁹⁹ *Ibid.*, 2:30.6, 30.18.

²⁰⁰ *Ibid.*, 30.11, 30.21, 30.28, 31.5, 31.10, 34.13, 486.10, 486.14, 487.6. Jaṣṣāṣ uses the recension of Ibn Dāsa (d. 346/957f.), for which see J. Robson, ‘The transmission of Abū Dāwūd’s *Sunan*’, *Bulletin of the School of Oriental and African Studies*, 14 (1952), 581f.; for the death date of Ibn Dāsa, see Dhahabī, *Tadhkira*, 863.15.

²⁰¹ Jaṣṣāṣ, *Aḥkām*, 2:486.24, 486.30, 487.1, 487.21, 488.11, 488.26, 488.30, 489.1, 489.4, 489.6. These traditions are taken from the chapter on *al-amr bi’l-ma’rūf* in Abū ‘Ubayd, *Nāsikh*, 98–101. He also makes occasional use of Abū ‘Ubayd’s own comments (compare Jaṣṣāṣ, *Aḥkām*, 2:487.2, 489.8 with Abū ‘Ubayd, *Nāsikh*, 100.3, 101.20). A citation of an exegetical view of Sa‘īd ibn Jubayr (d. 95/714) missing from the text of Abū ‘Ubayd’s work (cf. *Nāsikh*, 100.1, 100.3, 100.7, and Burton’s comment, *ibid.*, 167 of the English section) can be restored from Jaṣṣāṣ, *Aḥkām*, 2:486.30.

²⁰² *Ibid.*, 34.27. This tradition derives from his Koran commentary (‘Abd al-Razzāq, *Tafsīr*, 1:130.9); it appears also in Tabarī, *Tafsīr*, 7:104 no. 7,622 (both to Q3:110).

²⁰³ Jaṣṣāṣ, *Aḥkām*, 2:32.17, 32.23, 33.27, 34.25, 487.32, 488.4. Several of these are exegetical.

out the doctrine of the three modes (*manāzil*), namely hand, tongue and heart.²⁰⁴

Yet our author seems also to have been a Mu'tazilite, like other leading Ḥanafī scholars of his day.²⁰⁵ This is not, however, obvious from his doctrine of forbidding wrong as set out in these chapters. Jaṣṣāṣ makes no mention of any Mu'tazilite authorities. It is true that many of his positions are broadly similar to those found in Mu'tazilite accounts,²⁰⁶ but with one exception, none of his doctrines look distinctively Mu'tazilite. The exception is his attitude to the use of the sword in performance of the duty. This attitude appears in two passages that have a strong claim to be considered Mu'tazilite.²⁰⁷

The first is an impassioned polemic against the spineless attitudes of ignorant anthropomorphist traditionists.²⁰⁸ They alone – in effect – deny the duty. They reject resort to arms in the execution of the duty, calling all such action sedition (*fitna*).²⁰⁹ They hold that injustice and murder may be

²⁰⁴ *Ibid.*, 30.3 (where the term *manāzil* appears), and cf. 30.16, 487.14. The three modes tradition is cited more than once (*ibid.*, 30.10, 30.14, 486.12). In several places performance in the heart is linked to *taqīyya* (*ibid.*, 32.16, 487.17, 487.29, 488.22, and cf. 486.4).

²⁰⁵ See Madelung, 'The spread of Māturīdism', 112. He was the author of works of *kalām* as well as of *fiqh* (Ibn al-Murtaḍā, *Ṭabaqāt*, 130.12), and is quoted for the remark that it was Abū 'Alī al-Jubbā'ī (d. 303/916) who made the science of *kalām* easy (*ibid.*, 80.2). His Mu'tazilism is, however, called in question in A. K. Reinhart, *Before revelation: the boundaries of Muslim moral thought*, Albany 1995, 46f.

²⁰⁶ Thus the duty is imposed by Koran, tradition and consensus (Jaṣṣāṣ, *Aḥkām*, 2:486.2, and cf. 33.21). It is collective (*fard 'alā 'l-kifāya*), not individual (*fard 'alā kull aḥad fī nafsihi*) (*ibid.*, 29.19, 33.22). Drastic action is not permitted where lesser measures will suffice (*ibid.*, 31.23). Though no formal set of conditions is advanced, some points are familiar: personal danger releases one from the obligation to act (*ibid.*, 30.4, 32.8, 487.30); likewise there is no duty to attempt the impossible (*ibid.*, 30.4, 487.14, 487.31, and cf. 30.16, 31.17), and the obligation to speak out lapses where nothing would be achieved by it (*ibid.*, 32.12, 488.23). If we see a wicked man (*fāsiq*) performing *al-amr bi'l-ma'rūf*, it is our duty to assist him (*ibid.*, 3:119.27). We also find discussions of the obligation of the sinner to perform *al-amr bi'l-ma'rūf* (*ibid.*, 2:33.23), of one's duty to avoid offenders (*an yuḥānibahum wa-yuḥbir biḥrānahum*) whom one is unable to confront (*ibid.*, 30.31, 32.13), and of the question whether heresy (i.e. false belief short of unbelief, see *ibid.*, 36.7) is to be tolerated (*ibid.*, 35.27) – the answer being that it depends in the first instance on whether the heretic is a propagandist (*ḍā'ī*) (*ibid.*, 35.28).

²⁰⁷ Note also the definition of *ma'rūf* in terms of reason (*'aql*) (*ibid.*, 3:38.10) without reference to revelation (cf. above, ch. 2, note 54).

²⁰⁸ He refers to them as *qawm min al-ḥashw wa-jubhāl aṣḥāb al-ḥadīth* (*ibid.*, 2:34.2) – in other words, the Sunnī traditionists. Fighting the *fi'a baḡhiya* is included alongside *al-amr bi'l-ma'rūf*, with citation of Q49:9. In another passage Jaṣṣāṣ states that some traditionists (*qawm min al-ḥashw*) hold that one may only fight the *ahl al-baḡhy* with sticks and sandals, but not with the sword (*ibid.*, 3:400.3); he has already remarked that fighting the *ahl al-baḡhy* is a form of *al-amr bi'l-ma'rūf* (*ibid.*, 399.30). Elsewhere in the work he lashes out at the ignorant traditionists (*aḡhmār aṣḥāb al-ḥadīth*) who are responsible for the demise of *al-amr bi'l-ma'rūf*, with the result that unjust rulers have taken over the affairs of Islam (*ibid.*, 1:70.31).

²⁰⁹ *Ibid.*, 2:34.3.

committed by a ruler with impunity (*lā yunkar ‘alayhi*), while other offenders may be proceeded against by word or deed – but not with arms.²¹⁰ The point is not, in the writer’s view, an academic one. It is these attitudes that have led to the present sorry state of Islam – to the domination of the reprobate, of Magians, of enemies of Islam; to the collapse of the frontiers of Islam against the infidel; to the spread of injustice, the ruin of countries, and the rise of all manner of false religions.²¹¹ All this, we learn, is a consequence of the abandonment of the duty to command right and forbid wrong, and of standing up to unjust rulers (*al-inkār ‘alā ‘l-sultān al-jā’ir*). We cannot tell whether this attack is original to our author, or culled by him from some earlier source; that it may be the latter is suggested by the oddity of his simultaneously attacking the traditionists and adducing their traditions as authoritative. The historical references, such as they are, would fit the third/ninth century as well as the fourth/tenth.²¹² In any case, the betrayal of forbidding wrong by the traditionists (Ḥashwiyya) is, as we have seen, a favourite theme of the Mu‘tazilites.²¹³

The second passage is a variant on the same basic theme: the use of the sword against unjust rule.²¹⁴ Jaṣṣāṣ is considering situations in which it is within one’s power to put a stop to some evil, and accordingly one’s duty to do so. Where words or blows will not suffice, one will have an obligation to resort to arms and, if necessary, to kill the offender; if need be, one will do so without prior warning, since such warning may defeat the purpose of the action. Examples of relevant criminal behaviour are then adduced, of which the most prominent is the collection of non-canonical taxes (*al-ḍarā’ib wa’l-mukūs*).²¹⁵ It is the duty of Muslims to kill such tax-collectors; every man should do this whenever he can, and without giving them prior warning.²¹⁶ This does not, of course, imply that the believer is committed to anti-fiscal suicide missions. If he fears for his life, he is entitled to leave

²¹⁰ *Ibid.*, 34.6. The passage is borrowed in Abū Ḥayyān al-Gharnāṭī, *Baḥr*, 3:20.19.

²¹¹ He names *zandaqa*, *ghuluww*, dualist doctrines, the Khurramiyya and Mazdakism (Jaṣṣāṣ, *Aḥkām*, 2:34.11).

²¹² The complaint about the domination of Magians could well refer to the power held by the ‘Magians’ Faḍl ibn Sahl (d. 202/818) and his brother Ḥasan (d. 236/851) under the Caliph al-Ma’mūn (r. 198–218/813–33) (cf. W. Madelung, ‘New documents concerning al-Ma’mūn, al-Faḍl b. Sahl and ‘Alī al-Riḍā’, in W. al-Qāḍī (ed.), *Studia Arabica et Islamica: Festschrift for Iḥsān ‘Abbās*, Beirut 1981, 344).

²¹³ See above, ch. 9, notes 7, 40, 63, 160. ²¹⁴ Jaṣṣāṣ, *Aḥkām*, 2:31.19.

²¹⁵ *Ibid.*, 32.3. The passage is cited in Abū Ḥayyān, *Baḥr*, 3:20.23.

²¹⁶ Cf. the Prophetic tradition ‘When you meet a tax-collector (*‘aṣṣhār*), kill him!’ (Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 231.15). This positive thinking may be contrasted with the more sober view of Zamakhsharī, for whom the attempt to rebuke and restrain tax-collectors (*aṣṣhāb al-ma’āṣir*, *makkāsūn*) is a prime example of the kind of futile activity (*‘abath*) that would make one a figure of fun (for references, see above, ch. 11, note 192).

tax-collectors alone. But he should still conduct himself towards them with as much incivility as he can muster,²¹⁷ and he should avoid socialising with them.²¹⁸

In short, if we leave aside the few specifically Ḥanafī elements in Jaṣṣāṣ's account, we can see it as a curious blend of traditionalist and Mu'tazilite elements: the traditionalist notion of performance in the heart appears side by side with the Mu'tazilite relish for the sword.²¹⁹ But as we have seen, it was a Māturīdite rather than a Mu'tazilite (or traditionalist) Ḥanafism that represented the wave of the future. The Ottoman Empire of the Shaykh al-Islām Abū 'l-Su'ūd Efendi had no elective affinity for a brand of Ḥanafism that gloried in the killing of tax-collectors.

²¹⁷ The term for this unpleasantness is *ghilẓa* (Jaṣṣāṣ, *Aḥkām*, 2:32.9, and cf. Q9:123). The goldsmith's speech to Abū Muslim was *ghalīẓ* (*ibid.*, 33.18).

²¹⁸ As far as Jaṣṣāṣ himself is concerned, the Khaṭīb records no clash with the authorities more strenuous than his assiduous refusal to accept the office of *qāḍī 'l-quḍāt* (see above, note 192).

²¹⁹ Compare also the vigour of Jaṣṣāṣ's reaction to the threat posed to *al-amr bi'l-ma'rūf* by Q5:105 (cf. above, ch. 2, 30f.): he devotes the greater part of his second chapter on the duty (from *ibid.*, 486.17) to damage control on this score, at the same time leaning heavily on the notion of performance in the heart to make his case (*ibid.*, 487.15).

CHAPTER 13

THE SHĀFI'ITES

1. INTRODUCTION

In this chapter we shall be concerned with doctrines of forbidding wrong among members of the Shāfi'ite law-school.¹ It is convenient to bring the Shāfi'ites together in this fashion, but not much more. The law-schools of Sunnī Islam were, in general, real social communities in a way in which its theological schools were not, and it was primarily within these communities that literary heritages were either transmitted or allowed to die out. Yet the Shāfi'ite tradition proper was a legal one, and here, as elsewhere in Sunnism, forbidding wrong was not included within the compass of the law-book – for all that the well-known Shāfi'ite Ash'arite Juwaynī (d. 478/1085) thought it should have been.² The topic was thus left to the theologians. There was, however, no such thing as Shāfi'ite theology. The theological doctrines of Shāfi'ī (d. 204/820) himself, even to the extent that they were transmitted, were of no great importance to Shāfi'ites;³ and his views on forbidding wrong, fine and upstanding though they doubtless were, are not transmitted at all. It was not until the fifth/eleventh century that the Shāfi'ites acquired a theological identity in the shape of Ash'arism. Even then it was one that they shared with the Mālikīs, and it met with

¹ I leave aside the Qāḍī 'Abd al-Jabbār (d. 415/1025), for whom see above, ch. 9, 202. His Mu'tazilism was by no means unique among the Shāfi'ites (see Halm, *Ausbreitung*, 33, and cf. below, note 6); but it was nevertheless an untypical theological allegiance for a Shāfi'ite, and his works were not transmitted within the Shāfi'ite school.

² Juwaynī, *Irshād*, 368.3, cited in Madelung, 'Amr be ma'rūf', 993b; Juwaynī (d. 478/1085), *Ghiyāth al-umam*, ed. F. 'A. Aḥmad and M. Ḥilmī, Alexandria 1979, 177.12. Juwaynī states that the lawyers have handed over the topic to the *mutakallimūn*, whose custom it is to treat the duty under *uṣūl*. Fakhr al-Dīn al-Rāzī likewise remarks in one place that the conditions of obligation are discussed in works of *kalām* (*Tafsīr*, 8:178.23 (to Q3:104)), and in another that the rules of forbidding wrong are a major topic in *'ilm al-uṣūl* (*ibid.*, 16:204.24 (to Q9:112)).

³ See Madelung, *Religious trends*, 27f., contrasting the Shāfi'ites with the Ḥanbalites and Hanafīs.

continued resistance from traditionalist Shāfi'ites.⁴ The role of Ash'arism as an imported theology was thus comparable to that of Mu'tazilism among the Zaydīs, Imāmīs and Ḥanafīs. This analogy might suggest the appropriateness of a chapter on Ash'arite doctrines of forbidding wrong parallel to that on the Mu'tazilites. In fact, however, the analogy breaks down. Though we have much detailed information about Ash'arite theological doctrines prior to their reception among the Shāfi'ites, this does not extend to forbidding wrong.⁵ The impression we are left with is that the duty was far less central to Ash'arite concerns than it was to those of the Mu'tazilites. And if we juxtapose such later accounts as we find among the Shāfi'ites and Mālikīs, we are hard put to it to find anything that looks like a common core of Ash'arite doctrine. The subject-matter of this chapter is accordingly the views that Shāfi'ites have held on forbidding wrong, with no implication that there was such a thing as a generally accepted Shāfi'ite – or indeed Ash'arite – view.

In practice, the major distinction to be made among the Shāfi'ites who will concern us is not between Ash'arites and others but, quite simply, between Ghazzālī (d. 505/1111) and the rest. His account is at once so monumental, so distinctive and so widely influential that I shall accord it a chapter on its own. The present chapter will thus be somewhat in the nature of *Hamlet* without the Prince of Denmark; we shall look first at the Shāfi'ites before Ghazzālī, and secondly at the Shāfi'ites after Ghazzālī.

2. THE SHĀFI'ITES BEFORE GHAZZĀLĪ

Our earliest information about the views of Shāfi'ite scholars on forbidding wrong seems to date from a surprisingly late period: the fourth/tenth century. The first scholar for whom I have any material is Abū Bakr al-Qaffāl al-Shāshī (d. 365/976), who may have been a Mu'tazilite.⁶ All we have from him are some brief comments on Q3:110.⁷ The tone is strongly activist. The

⁴ See *ibid.*, 28f.; Madelung, 'The spread of Māturīdism', 109f.; Halm, *Ausbreitung*, 32–40.

⁵ Abū Ya'lā makes a reference to the view preferred by the Mālikī Ash'arite Bāqillānī (d. 403/1013) on the question whether the prospect of being beaten or imprisoned – but not actually killed – is enough to void the duty (*Amr*, f. 102a.9). The syntax leaves it tantalisingly unclear on which side of the fence Bāqillānī came down.

⁶ For Qaffāl and his theological allegiance, see Halm, *Ausbreitung*, 33, 35f., 112f.; but see also Reinhart, *Before revelation*, 19–21.

⁷ Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:191.4, 191.23, 192.6 (noted in Roest Crollius, 'Mission and morality', 272); cf. also below, note 16. I identify Rāzī's Qaffāl as ours (i.e. as al-Qaffāl al-Kabīr) on the strength of the remarks of Nawawī (d. 676/1277) as quoted in Suyūṭī (d. 911/1505), *Ṭabaqāt al-mufasssīrīn*, ed. 'A. M. 'Umayr, Cairo 1976, 109.14, and the explicit statement of Suyūṭī himself, *ibid.*, 110.6. Rāzī's most likely source, direct or indirect, is Qaffāl's own Koran commentary, a work singled out for its pernicious Mu'tazilism (see Halm, *Ausbreitung*, 35, translating Subkī, *Ṭabaqāt*, 3:201.14).

verse, it will be remembered, declares the Muslim community the best to have been brought forth. Remarking that the mode of commanding right may be by heart, tongue or hand, Qaffāl attributes the superiority of the Muslims to the fact that their practice of forbidding wrong extends to fighting (*qitāl*); this, he says, is the most stringent mode of performance of the duty, since it involves the risk of being killed.⁸ From what we know of Qaffāl's biography, this was not just a rhetorical flourish. He was among 'the disorderly Khurāsān rabble' who appeared in Rayy in 355/966 on their way to defend the frontiers of Islam against the Byzantines and Armenians; significantly, they justified their depredations as forbidding wrong.⁹

Our earliest Shāfi'ite set piece on the duty is found in a work by a pupil of Qaffāl, the Transoxanian scholar, judge and diplomat Abū 'Abdallāh al-Ḥalīmī al-Jurjānī (d. 403/1012).¹⁰ In this treatise on the 'branches of the faith', forbidding wrong rates a chapter as the fifty-second of seventy-seven branches.¹¹ Ḥalīmī quotes scripture and traditions extensively, and what he has to say in his own voice is not particularly systematic. A good deal of it is too familiar to detain us long. He establishes the obligatoriness of forbidding wrong with reference to Koran and normative tradition (*sunna*).¹² He deploys the three modes, supported by the usual tradition from the Prophet.¹³ He insists on the minimal duty of avoiding intercourse with offenders,¹⁴ but enjoins emigration – where possible – in order to get away from evil-doers who cannot be restrained.¹⁵ More striking is a passage reminiscent of Qaffāl, but in this case triggered by Q9:67, on the connection between forbidding wrong and holy war. Here he stresses the lack of any fundamental distinction; we are given to understand that both duties are reducible to calling people to Islam, and backing the call with violence (*qitāl*) where necessary.¹⁶

This apart, the tone of Ḥalīmī's account is strongly accommodationist. Though he does not mention the tripartite saying so often quoted among

⁸ Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:191.23. The rest of the passage is explicitly concerned with *jihād* against unbelief.

⁹ Miskawayh, *Tajārīb*, 6:223.8, 223.12, adduced in H. F. Amedroz, 'The Hisba jurisdiction in the Ahkam Sultaniyya of Mawardi', *Journal of the Royal Asiatic Society*, 1916, 292f.

¹⁰ For Ḥalīmī see Halm, *Ausbreitung*, 103. For his activity as a diplomat, see also Sahnī, *Ta'rikh Jurjān*, 156.16.

¹¹ Ḥalīmī (d. 403/1012), *al-Minhāj fī shu'ab al-īmān*, Damascus 1979, 3:215–23; the text is frequently corrupt. I am indebted to Wilferd Madelung for referring me to this work. Bayhaqī's *Shu'ab al-īmān* is a recension of Ḥalīmī's work in which traditions appear with full *isnāds* (see Bayhaqī's initial statement, *ibid.*, 1:28.14), and in much greater numbers; much of Ḥalīmī's discussion is repeated there, though in a text which is no less corrupt (*ibid.*, 6:81.7, 84.22, 87.5, 88.9). ¹² Ḥalīmī, *Minhāj*, 3:216.8.

¹³ *Ibid.*, 217.12, and cf. 219.8, 219.21, and cf. 222.2. ¹⁴ *Ibid.*, 223.5.

¹⁵ *Ibid.*, 222.15 (read *fa'l-khurūj min baynihim*).

¹⁶ *Ibid.*, 216.9; the passage reappears in part in Qurṭubī, *Jāmi'*, 4:47.11.

the Ḥanafīs, he presents what is in some degree the same division of labour in a more elaborate form, and in his own voice. For Ḥalīmī the set of believers who are qualified to undertake the duty is an explicitly restricted one.¹⁷ Leaving aside for the moment a relaxation which he introduces at the end of his argument, Ḥalīmī limits the duty to two kinds of people: the ruler (*sulṭān al-Muslimīn*,¹⁸ or simply *sulṭān*), and the righteous scholar (*al-‘ālim al-muṣliḥ*).¹⁹ It is in the first instance on the ruler that the duty falls,²⁰ since he alone has executive power.²¹ Since he is not omnipresent, the ruler should appoint a watch-dog in each town (*balad*) and village (*qarya*); this appointee should be a learned and trustworthy man of strong and sound character.²² Whenever he²³ hears of a wrong that needs to be put right, he should act. It makes no difference to the ruler’s duty whether he is himself an offender.²⁴ When the ruler does not perform the duty (*‘inda imsāk al-sulṭān*), it falls upon others – namely the righteous scholars of the community.²⁵ They are all of them obligated to perform the duty, so far as they are able, in the three familiar modes, even to the extent of seeking assistance where this is appropriate,²⁶ but they are not to presume to encroach on the executive powers of the ruler by inflicting penalties.²⁷ There is no mention of resort to arms or killing on their part.

What if a prospective performer of the duty (other than the ruler) lacks one or other of the two requisite qualities? He might be a scholar, but not a righteous one. In such a case Ḥalīmī does not budge from his view.²⁸ Such a man would be better occupied reforming his own character, and lacks the moral authority needed to carry out the duty vis-à-vis others.²⁹ But what of a righteous Muslim (*min ṣulahā’ al-Muslimīn*) who is not an outstanding scholar (*min al-‘ulamā’ al-mubarrizīn*)? Ḥalīmī considers this question pretty much as an afterthought, and states (but God knows best)

¹⁷ Ḥalīmī, *Minhāj*, 3:216.17. The beginning of this passage reappears in Qurtubī, *Jāmi‘*, 4:47.13. ¹⁸ So Ḥalīmī, *Minhāj*, 3:216.18. ¹⁹ So *ibid.*, 217.14.

²⁰ *Ibid.*, 216.18; ‘in the first instance’ is my addition.

²¹ Specifically the powers of carrying out *ḥadd* punishments, making decisions relating to discretionary floggings (*ta‘zīr*), making arrests and releasing prisoners, and imposing banishment (*naḥy*) and torture (*ta’dhīb*) if the ruler considers them politic (*ibid.*, 216.18).

²² *Ibid.*, 216.20. Ḥalīmī does not use the term *muhtasib*. ²³ Sc. the ruler’s appointee.

²⁴ *Ibid.*, 219.5. As will be seen, the ruler is in this respect an exception, the reason given being that ‘rulership is just that’ (*al-salṭana hiya ḥādḥā*) – i.e. were the ruler to cease to command and forbid, he would thereby cease to be a ruler. ²⁵ *Ibid.*, 219.7.

²⁶ *Ibid.*, 217.7. Read *yazjur* for *yu’akkhbir*, *ṭāqatihi* for *ṭā’atihi*, and *yutīq* for *yutbiq*, *ibid.*, 217.8; read *lā yutīq* for *yutīq*, *ibid.*, 217.9. For these readings, compare Bayhaqī, *Shu‘ab*, 6:85.14, and Ṣāliḥī, *Kanz*, 190.27. ²⁷ Ḥalīmī, *Minhāj*, 3:217.10.

²⁸ *Ibid.*, 218.13. He claims the support of two traditions, *ibid.*, 218.23.

²⁹ *Ibid.*, 218.13, 219.8. In indicating that such a man is not even permitted to undertake the duty (*ibid.*, 218.21), Ḥalīmī espouses a view which, though widely discussed, is almost always rejected.

that if such a man forbids an evil the status of which is apparent even to the unlearned (*al-ʿāmma*), then his standing in the matter is the same as that of the righteous scholar.³⁰

It goes well with this that a vein of sensitivity to the social context of the duty runs through Ḥalīmī's account of it.³¹ Thus he concerns himself with situations in which the duty is best deferred. On encountering a man in his cups, you might pour away what is left of his liquor, but it would be unwise to speak to him, and pointless, until he has sobered up.³² Equally he emphasises that one who undertakes the duty must be discriminating.³³ He must know when to be kind and when to be harsh, how to talk to people of every class (*ṭabaqa*) in a manner appropriate to each, and how to ensure that his initiative is not counter-productive.³⁴ He is not bound to take action leading to the public disgrace of the offender;³⁵ he could speak in general terms about the evil in question in public, but without identifying the offender, or he could privately send him a message about it.

All in all, Ḥalīmī's approach – in contrast to that of his teacher – is marked by respect for constituted authority and social hierarchy, perhaps even by a certain urbanity. In effect, he expresses the accommodationist tendency we encountered in Ḥanafism better than the Ḥanafis themselves.

We meet similarly antithetical styles among Shāfi'ites of the fifth/eleventh century. Views reminiscent of Ḥalīmī's are briefly expressed by Abū Ishāq al-Shīrāzī (d. 476/1083) in an Ash'arite creed.³⁶ There are those whose duty it is to punish wrongdoing; these are caliphs and their subordinates. There are those who are obligated to take verbal action (*an yughayyir bi'l-lisān*). And there are those who are not obligated at all.³⁷ But as we will see, most accounts dating from this period do not share this tendency.

³⁰ *Ibid.*, 222.12.

³¹ Cf. his unusual view that tambourines may be permitted to women, but not to men (Subkī, *Ṭabaqāt*, 4:339.8).

³² Ḥalīmī, *Minhāj*, 3:217.20, with what is obviously the continuation at line 22.

³³ *Ibid.*, 218.3.

³⁴ This does not apply in the case of a ruler, who does not need to be tactful – unless he is a powerless ruler, in which case he finds himself in the same boat as the righteous scholar (*ibid.*, 218.6). ³⁵ *Ibid.*, 219.9 (or so I understand the tenor of the passage).

³⁶ Abū Ishāq al-Shīrāzī (d. 476/1083), *Aqīdat al-salaf*, apud his *al-Ma'ūna fī 'l-jadal*, ed. 'A. Turkī, Beirut 1988, 101f. no. 36, and M. Bernand, *La Profession de foi d'Abū Ishāq al-Shīrāzī*, Cairo 1987, 71.17. For Abū Ishāq, see *Encyclopaedia Iranica*, art. 'Abū Eshāq al-Shīrāzī' (W. Madelung). There is, however, some doubt as to the attribution of this text to Abū Ishāq (see W. Madelung's review of Bernand's edition, *Journal of the Royal Asiatic Society*, 1989, 135f., where two corrections are also given to the reading of our passage; in Turkī's edition, read *al-umma mujmī'a* for *wa-lī-ummat Muḥammad*). Abū Ishāq's contemporary Abū 'l-Qāsim al-Qushayrī (d. 465/1072) also mentions the duty in a creed (quoted in Subkī, *al-Sayf al-mashhūr*, f. 42b.1), but he says nothing of interest, beyond declaring rebellion against unjust rule to be impermissible.

³⁷ Note that he does not say that they are obligated to perform the duty in the heart.

A case in point is a discussion of the duty by the celebrated Māwardī (d. 450/1058).³⁸ He organises his account around an unusual distinction: there are cases in which the offence is committed by isolated individuals, and there are those in which it is the work of a group. In cases of the first kind, it is universally agreed that it is the duty of anyone who witnesses the wrong to command and forbid the wrongdoers, provided he is able to do so;³⁹ the only disagreement concerns the question whether this obligation is grounded in reason or revelation.⁴⁰ This is, of course, a favourite Muʿtazilite issue, and what follows is in fact a Muʿtazilite analysis within which is included a typically Muʿtazilite account of the danger condition.⁴¹ In cases of the second kind, which are likely to include what we would call political conflicts, opinions differ.⁴² Some traditionists (*aṣḥāb al-ḥadīth*) deny the obligatoriness of taking action against such a wrong, and recommend that one should stay quietly at home; another school – clearly the Imāmīs – defers the obligation until the appearance of their expected (imam); yet others, including Aṣamm (d. 200/815f.), make it conditional on agreement on a just imam.⁴³ But the great majority of theologians (*jumhūr al-mutakallimīn*) hold it to be obligatory to proceed if the conditions are satisfied; here it is necessary that one have capable helpers, since without them one risks being killed without attaining the goal, a course which reason condemns. Presumably Māwardī shares this view. This account may not share Qaffāl's forcefulness, but it shows no accommodationist tendencies.

This is in some tension with what Māwardī says about the duty of the individual to forbid wrong in his well-known treatise on government. His primary concern there is with the role of the officially appointed censor (*muḥtasib*).⁴⁴ He deals with the duty of the individual only at the begin-

³⁸ Māwardī, *Adab*, 101–3. On Māwardī, see *EP*, s.n. (C. Brockelmann). It may be noted that he makes no mention of the doctrine of the three modes.

³⁹ Māwardī, *Adab*, 101.14. ⁴⁰ *Ibid.*, 101.17.

⁴¹ Cf. above, ch. 9, 206 and 209 no. (5). The account of the danger condition does not reflect the views of Abū ʿl-Ḥusayn, since a distinction is made between cases that do and do not involve the greater glory of the faith (*iʿzāz dīn Allāh*, *ibid.*, 102.10); but I see nothing to preclude its derivation from the school of ʿAbd al-Jabbār. Māwardī was later accused of Muʿtazilite tendencies on the basis of his Koran commentary (see Subkī, *Ṭabaqāt*, 5:270.1, cited in *EP*, art. 'Māwardī'); it is not clear to me whether he was in any sense an Ashʿarite.

⁴² Māwardī, *Adab*, 102.18.

⁴³ For the traditionists, cf. above, ch. 12, 336f.; for the Imāmīs, cf. above, ch. 11, note 116, for Aṣamm, cf. above, ch. 9, note 15.

⁴⁴ Māwardī's account of the *muḥtasib* is read by Laoust as an attempt to cut back on the unofficial forbidding of wrong in favour of the power of the state, and not entirely without reason (H. Laoust, 'La pensée et l'action politiques d'al-Māwardī', *Revue des Etudes Islamiques*, 36 (1968), 36–8; cf. also Lambton, *State and government*, 311; Glassen, *Mittlere Weg*, 23).

ning of his chapter on the censor, setting out nine differences between the individual and official duties.⁴⁵ For the most part the distinctions he makes are straightforward, and need not detain us; for example, the duty is an individual one for the censor, but a collective one for others, and he alone may be paid a salary for it from the public treasury. Two of Māwardī's distinctions, however, are arresting. The second of the nine distinctions is that the official censor may not be distracted from his duties – by pressure of other business, so to speak – because these duties *are* his business; by contrast, such distraction is permissible for the individual, since his activity is supererogatory (*min nawāfil 'amalihī*). This contrasts with Māwardī's statement in the same text that individuals are subject to a collective obligation. The sixth distinction is that the official censor has the right to engage helpers, whereas the individual does not. This seems to contradict the account Māwardī gives in his other work of cases in which the offence is committed by a group. In both instances, the effect is to lower the profile of the duty of the individual Muslim; it is hardly accidental that Māwardī expresses such views in a handbook written to instruct the political authorities.⁴⁶

The next major figure of concern to us is the Ash'arite Juwaynī (d. 478/1085). As usual, much of what he says is familiar and requires little attention. He discusses the grounding of the obligation in consensus, setting aside the alleged dissent of the Rāfiḍa.⁴⁷ He distinguishes matters in which laymen can tell right from wrong from those in which it takes scholarly judgement (*ijtihād*) to do so; in the former, in contrast to the latter, it is for laymen and scholars alike to command and forbid.⁴⁸ He takes the usual view of disagreements between law-schools,⁴⁹ and of the obligation of the wrongdoer to forbid wrong himself.⁵⁰ He states that the obligation is a collective one, going on to say that if in every district (*ṣuq'*)

⁴⁵ Māwardī, *al-Aḥkām al-sultāniyya*, 315.4. This became a favourite schema; it is reproduced by such authors as the Hanbalite Abū Ya'lā (*al-Aḥkām al-sultāniyya*, 284.9), the Shāfi'ite Ibn al-Ukhuwwa (d. 729/1329) (*Ma'ālim al-qurba fī aḥkām al-ḥisba*, ed. R. Levy, London 1938, 11.10, with omission of Māwardī's fifth difference), and the Mālikī 'Uqbānī (d. 871/1467) (*Tuḥfat al-nāẓir*, ed. A. Chenoufi, *Bulletin d'Etudes Orientales*, 19 (1965–6), 177.22; 'Uqbānī rewrites the first difference to remove Māwardī's categorisation of *al-amr bi'l-ma'rūf* as a collective duty where the ordinary believer is concerned). It is also taken up in Chalmers, *El 'señor del zoco*', 613f.

⁴⁶ Laoust, however, goes too far in this direction. He reads too much into the first, third and fourth differences; he also gives a misleading rendering of the ninth, inasmuch as he does not make it clear that the customary matters it relates to are those about which the law is silent ('La pensée', 36f.). ⁴⁷ Juwaynī, *Irshād*, 368.4. ⁴⁸ *Ibid.*, 368.15.

⁴⁹ *Ibid.*, 369.5. He states it as school doctrine that every *mujtahid* is right; but he adds that it comes to the same thing if one believes only one to be right, but does not know his identity. ⁵⁰ *Ibid.*, 369.9.

someone appropriate undertakes it, others are relieved of it.⁵¹ And he rules out any kind of spying.⁵²

More interesting are the passages that make it clear that he is no accommodationist. He emphasises that the duty is not reserved to rulers (*wulāt*), but extends to individual Muslims (*āḥād al-Muslimīn*); the proof of this is again consensus, for in early Islamic times such individuals would command and forbid the rulers themselves, and did so with the approval of the Muslims at large.⁵³ Later he stresses that taking action (*fi'l*) where words (*qawl*) do not suffice is permissible for subjects in the case of a grave sin, so long as it does not lead to armed conflict; this latter is for the ruler (*sulṭān*).⁵⁴ This sounds prudently non-Mu'tazilite. But he then goes on to say something which was on occasion to take away the breath of posterity.⁵⁵ If the ruler of the time (*wālī al-waqt*) acts in a manifestly unjust fashion, and does not respond to verbal admonition, then it is for 'the people of binding and loosing' (*ahl al-ḥall wa'l-'aql*) to prevent him, even if this means doing battle with him.⁵⁶

Rather like Māwardī, Juwaynī speaks about the duty in a different tone in a work concerned mainly with the imamate.⁵⁷ Here again he says that the duty extends to all Muslims (*kāffāt al-Muslimīn*), provided they possess the requisite firmness and understanding.⁵⁸ He then limits subjects to restrained verbal initiatives, to the exclusion of armed conflict; in such cases they should turn the matter over to the rulers.⁵⁹ No mention is made here of the problem of the unjust ruler. Juwaynī does, however, go on to say that, subject to some restriction, individual Muslims are not excluded

⁵¹ *Ibid.*, 369.11.

⁵² *Ibid.*, 370.6. For *tanqīr* read *tanqir*, as in the quotation in Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:385.25. ⁵³ Juwaynī, *Irshād*, 368.10.

⁵⁴ *Ibid.*, 369.14. Note that action and words are mentioned as modes, but not performance in the heart; by contrast, Abū Bakr ibn Maymūn in his commentary on the *Irshād* mentions performance in the heart among the three modes (*Sharḥ al-Irshād*, ed. A. Ḥ. A. al-Saqqā, Cairo 1987, 607.23; I do not know the date of this commentary, except that the manuscript used by the editor was copied in 782/1380 (*ibid.*, 7 of the editor's introduction)). Later Ash'arite authors who mention performance in the heart include Fakhr al-Dīn al-Rāzī (*Tafsīr*, 8:177.17, 179.22 (to Q3:104)) and Ibn al-Ukhuwwa (*Ma'ālim*, 22.8, in a scholastic passage on the duty quoted from an unnamed scholar; Ibn al-Ukhuwwa describes himself as an Ash'arite, *ibid.*, 3.4). An earlier writer close to Ash'arism who mentions performance in the heart is Rāghib al-Iṣbahānī (*fl.* later fourth/tenth century), stating the view of 'most *mutakallimūn*' (*Muḥāḍarat al-udabā'*, Beirut 1961, 1:134.13; for his theological stance, see *ET*, art. 'Rāghib al-Iṣfahānī', 390b (E. K. Rowson)).

⁵⁵ Juwaynī, *Irshād*, 370.3; cf. the negative reaction of Nawawī (*Sharḥ Ṣaḥīḥ Muslim*, 1:385.23). On the other hand, Abū Bakr ibn Maymūn endorses Juwaynī's position (*Sharḥ al-Irshād*, 608.6).

⁵⁶ Should we see here Juwaynī's settled opinion, or an ill-tempered response to the Seljūq persecution of the Ash'arites in 445/1053f. which drove him into exile (cf. Madelung, *Religious trends*, 33)? ⁵⁷ Juwaynī, *Ghiyāth al-umam*, 176f. ⁵⁸ *Ibid.*, 176.10.

⁵⁹ *Ibid.*, 176.11. In contrast to the doctrine of the *Irshād*, this would seem to exclude physical action short of armed conflict on the part of subjects.

from performing the duty in the market-place – acting for God's sake (*muḥtasibūn*), as he puts it.⁶⁰

A contemporary of Juwaynī from whom we have a brief account of the duty is the little-known Ash'arite Mutawallī (d. 478/1086).⁶¹ He grounds the obligation in Koran, tradition and – so it seems from a damaged passage – the continuing practice of the Muslims; he implies that it is a collective obligation. He makes the same distinction as Juwaynī between matters that do and do not require scholarly judgement (*ijtihād*),⁶² and in language very similar to Juwaynī's he states that performing the duty by word and action is not reserved to the rulers (*a'imma*), but extends to individual subjects (*āḥād al-ra'īyya*) as long as it does not lead to fighting.⁶³

We may end this survey with an account of the duty by Kiyā al-Harrāsī (d. 504/1110), an Ash'arite contemporary of Ghazzālī who, like him, was a pupil of Juwaynī.⁶⁴ Here, however, he is following in the footsteps of the Ḥanafī Mu'tazilite Jaṣṣāṣ (d. 370/981).⁶⁵ Thus he states that where words are not enough, one may if necessary proceed as far as killing the offender;⁶⁶ he goes on from this to a discussion of the view of the scholars on self-defence and rescue, in which he reports them as holding that one may kill collectors of illegal taxes without warning.⁶⁷ What is noteworthy is his willingness to adopt or quote these views without protest.

In sum, we find among early Shāfi'ite authorities no homogeneous doctrine of forbidding wrong. In particular, they differ with respect to the level of activity they allow to individuals. But the accommodationist tone of Ḥalīmī's account turns out on balance to be uncharacteristic. As to what might constitute a properly Ash'arite doctrine of the duty, we are left pretty much in the dark.⁶⁸

⁶⁰ *Ibid.*, 177.4.

⁶¹ Mutawallī (d. 478/1086), *Mughnī*, ed. M. Bernand, Cairo 1986, 66.1. The text is problematic, the scribe having left several blanks in the manuscript. See also Madelung's review of Bernand's edition in *Journal of the Royal Asiatic Society*, 1988, 173.

⁶² Mutawallī, *Mughnī*, 66.8. He says that where *ijtihād* is needed, action is reserved to the rulers (*a'imma*).

⁶³ *Ibid.*, 66.7; compare Juwaynī, *Irshād*, 370.1. Both use the phrase *naṣḥ qitāl*.

⁶⁴ See Halm, *Ausbreitung*, 58f.

⁶⁵ Kiyā al-Harrāsī (d. 504/1110), *Aḥkām al-Qur'ān*, ed. M. M. 'Alī and 'I. 'A. 'I. 'Aṭīyya, Cairo 1974–5, 2:62–7 (to Q3:104). The treatment follows that of Jaṣṣāṣ's work of the same title; thus Harrāsī begins with the point that the duty is a collective one, and ends with its application to heresy. His discussion, however, is much less full, and only at one point does he insert substantial material of his own (*ibid.*, 67.4–11). It may be noted that he quotes the 'three modes' tradition (*ibid.*, 63.5), but otherwise makes no reference to performance in the heart. For Jaṣṣāṣ's account, see above, ch. 12, 334–8.

⁶⁶ *Ibid.*, 64.4; he bases this on Q49:9. Cf. Jaṣṣāṣ, *Aḥkām*, 2:31.17.

⁶⁷ Harrāsī, *Aḥkām*, 2:65.7. Cf. Jaṣṣāṣ, *Aḥkām*, 2:32.3.

⁶⁸ The silence of the known Ash'arites discussed above (in contrast to Ḥalīmī) regarding performance in the heart is suggestive, but by no means conclusive.

The biographies of early Shāfi'ites make only occasional reference to the performance of the duty. The Naysābūrī Abū 'l-Abbās al-Sarrāj (d. 313/925) used to command right and forbid wrong riding on his donkey, telling his teaching assistant (*mustamlī*) 'Abbās to do away with this and break that (*Yā 'Abbās! ghayyir kadhā! iksir kadhā!*).⁶⁹ In another anecdote he is brought in to remonstrate with the ruler, but embarrasses everybody by bringing up a point about the ritual of prayer in the mosque, instead of furthering the material interests of the city.⁷⁰ Abū 'Alī al-Manī'ī (d. 463/1071) was likewise a performer of the duty, and received the attention and respect of rulers in this connection; the Seljūq sultan Alp Arslan (r. 455–65/1063–73) was said to have remarked of him that 'there is in my kingdom someone who does not fear me but only God'.⁷¹

3. THE SHĀFI'ITES AFTER GHAZZĀLĪ

After Ghazzālī, the Shāfi'ite literary record is an anti-climax, though still richer than that of the Ḥanafīs. Accounts of forbidding wrong are found in a variety of literary contexts, of which the best represented are works of theology on the one hand and commentaries on the 'three modes' tradition on the other. (Creeds are disappointing.⁷²) Neither stream is particularly impressive. The theological literature, to which for our purposes there is no Ḥanafī parallel, starts fairly strongly with Sayf al-Dīn al-Āmidī (d. 631/1233), but peters out over the following centuries.⁷³ The

⁶⁹ Subkī, *Ṭabaqāt*, 3:108.15, 109.1; Dhahabī, *Siyar*, 14:394.13 (I owe this reference to Nurit Tsafrir); Ibn Kathīr (d. 774/1373), *Ṭabaqāt al-fuqahā' al-Shāfi'iyyīn*, ed. A. 'U. Hāshim and M. Z. M. 'Azab, Cairo 1993, 1:218.19; and cf. Isnawī (d. 772/1370), *Ṭabaqāt al-Shāfi'iyya*, ed. 'A. al-Jubūrī, Baghdad 1970–1, 2:34.7.

⁷⁰ Subkī, *Ṭabaqāt*, 3:109.3.

⁷¹ *Ibid.*, 4:301.8. I have noted a couple of further instances from this period. One is Abū 'l-Naḍr al-Ṭūsī (d. 344/955) (Isnawī, *Ṭabaqāt*, 2:162.5; Ibn Kathīr, *Ṭabaqāt*, 1:269.15); the other is Abū 'Abdallāh al-Khabbāzī (d. 497/1103f.), a pupil of Abū Ishāq al-Shīrāzī (*ibid.*, 2:503.1, and cf. Subkī, *Ṭabaqāt*, 4:348 n. 3).

⁷² Madelung's observation that later Sunni creeds rarely refer to *al-amr bi'l-ma'rūf* ('Amr be ma'rūf', 993b) holds good for the Shāfi'ites. A rare exception is the *'Aqīda* of Ibn Daqīq al-ʿĪd (d. 702/1302), who was both a Mālikī and a Shāfi'ite, in the commentary of Ibrāhīm ibn Abī Sharīf al-Maqdisī (d. 923/1517), *al-'Iqd al-naḍīd*, ms. Princeton, Yahuda 879, ff. 30a–31a (in red). For this manuscript, see Mach, *Catalogue*, 195 no. 2,285; but note that I hesitantly follow the title-page of the manuscript in ascribing the commentary to Burhān al-Dīn Ibrāhīm rather than to his brother Kamāl al-Dīn Muḥammad (d. 906/1500); cf. Sakhāwī, *Ḍawʿ*, 1:135.3. For two fifth/eleventh-century creeds that mention the duty, see above, note 36.

⁷³ It is frustrating that we do not seem to possess a formal account of the duty by Fakhr al-Dīn al-Rāzī (d. 606/1210), the leading Ash'arite authority of the whole period. He does, of course, discuss some issues in his Koran commentary (see, for example, *Tafsīr*, 3:47.5 (to Q2:44), 8:178.26 (to Q3:104), for the obligation of the sinner); but for the core topic

commentaries on the 'three modes' tradition, though more numerous than those of the Ḥanafīs, exhibit the same rather unstructured character. With the exception of one monographic treatment of forbidding wrong, such other accounts as I have found here and there are rather similar in style to these commentaries. In the Shāfi'ite case, moreover, the dust of the scholastic tradition was not disturbed by any equivalent of the Qāḍīzādelis and the lively reaction they provoked. I shall accordingly deal with the later Shāfi'ites rather summarily.

Āmidī treats the duty in his monumental theological treatise.⁷⁴ He devotes two sections to it. The first includes a discussion of the basis of forbidding wrong. He states that it is Ash'arite and Sunnī doctrine that it is founded in revelation, not reason,⁷⁵ and gives a brief exposition which makes reference to consensus, Koran and tradition.⁷⁶ However, the dominant theme of this section is an argument against the view that the duty can only be performed on the authority of the imam. He ascribes this view to some of the Rāfiḍa; everyone else agrees that forbidding wrong is obligatory whether the imam enjoins it or not.⁷⁷ His main argument is that we know that individual Companions after the death of the Prophet commonly performed the duty without seeking any such authority, and later generations have followed suit.⁷⁸ Quite why he should invest such energy in refuting this alleged Rāfiḍite position is unclear to me. The second section is unusual in setting out no fewer than seven conditions for obligation, and in referring to them as 'restrictions' (*quyūd*).⁷⁹ The schema was ignored by Shāfi'ite posterity; Kātib Chelebi had a use for it because he wished to discourage Qāḍīzādeli activism by emphasising the sheer number of restrictions.⁸⁰ The individual items on the list contain no real surprises,

of the conditions of obligation, he refers us to the theological literature (*kutub al-kalām, ibid.*, 178.23). Much the same is true on a smaller scale for Bayḍāwī (thus for his treatment of the obligation of the sinner, see *Anwār*, 2:35.17 (to Q3:104)).

⁷⁴ Āmidī, *Abkār al-afkār*, ff. 310a–311a. For this work, see Gimaret, *Théories*, 153f. The account of *al-amr bi'l-ma'rūf* shows no dependence on Ghazzālī.

⁷⁵ Āmidī, *Abkār*, f. 310a.14, and cf. f. 310b.18. He mentions the views of the Jubbā'is in a passage echoed by the Shāfi'ite Maḥmūd ibn Abī 'l-Qāsim al-Iṣfahānī (d. 749/1349) in his commentary on the *Tajrīd* of Naṣīr al-Dīn al-Tūsī (*Tasdīd*, ms. Princeton, Yahuda 2,220, f. 223b.12; for this manuscript, see Mach, *Catalogue*, 261 no. 3,062).

⁷⁶ Āmidī, *Abkār*, f. 310a.24, 310b.3.

⁷⁷ *Ibid.*, f. 310a.13. The text is corrupt; a better text is found in the citation of the passage by Jurjānī (d. 816/1413) in his commentary to Ījī (*Mawāqif*, 331.7). Jurjānī gives a shortened and somewhat rearranged paraphrase of the whole section (*ibid.*, 331.7–22).

⁷⁸ Āmidī, *Abkār*, f. 310a.18. Compare Juwaynī and Mutawallī (above, 347, and note 53); also Ghazzālī (below, ch. 16, note 29).

⁷⁹ *Ibid.*, ff. 310b.19–311a.21. Here too Jurjānī draws on Āmidī, but not for the structure of the presentation.

⁸⁰ Kātib Chelebi, *Mizān al-ḥaqq*, 92–5 (= trans. Lewis, 106–8); cf. above, ch. 12, note 169.

all being already familiar in one way or another.⁸¹ All in all, Āmidī's account is a substantial one, if only by Ash'arite standards. But it is too isolated to be representative of a continuing Ash'arite tradition.⁸²

The treatment of the duty in two works of 'Aḡud al-Dīn al-Ījī (d. 756/1355) is altogether slighter.⁸³ In contrast to Āmidī, he confines himself to two conditions of obligation.⁸⁴ Of the commentators, the Ḥanafī Ash'arite Jurjānī (d. 816/1413) has nothing of significance to add in his own name.⁸⁵ Dawānī (d. 908/1502) is more forthcoming,⁸⁶ but the only

⁸¹ In summary the restrictions are as follows. (1) The performer must be legally competent. (Katīb Chelebi extends this to include the offender; this aligns him with what Ghazzālī says in his *Kimīyā-yi sa'ādat* as opposed to his *Ihyā'* (see below, ch. 16, note 71), and also with the scholastic account quoted in Ibn al-Ukhuwwa, *Ma'ālim*, 22.11.) (2) The performer must know right from wrong in the case, which does not mean that he must be a scholar (and the sinner is obligated; Āmidī's treatment of this point is quoted in Ibrāhīm al-Laḡānī (d. 1041/1631), *Hidāyat al-murīd*, ms. Princeton, Yahuda 504, f. 283a.16; for this manuscript, see Mach, *Catalogue*, 200 no. 2,337). (3) The alleged offence must actually be one. (The combination of these last two points is reminiscent of the school of Abū 'l-Husayn, see above, ch. 9, note 151.) (4) It must not be a matter of dispute between law-schools. (5) It must be the case that no one else undertakes the duty, since it is not an individual but rather a collective obligation; it suffices if a single person undertakes it in each district (*nāhiya*). (The idea of a single person in each district is an echo of Juwaynī, see above, note 51.) (6) There must be expectation of success (Katīb Chelebi elaborates that the chances must be against it resulting in harm; for *khalq isrār* read *khalqa idrār* at *Mizān al-ḥaqq*, 94.1); but if there is no prospect of success, it is still commendable as a public affirmation of Islamic norms (*iḡhār sha'ar al-Islām*). (Cf. the quotation ascribed to Āmidī in Laḡānī, *Hidāya*, f. 282b.3, whence Bājūrī (d. 1276/1860), *Tuḡfat al-murīd*, apud Laḡānī, *Jawḥarat al-tawḥīd*, Cairo n.d., 203.10.) (7) There must be no spying or prying. Outside this framework of restrictions, Āmidī adds in the course of a final argument that the performer must have reason to believe that the offence in question will take place (*Abkār*, f. 311a.24; his use of the terms *amārāt* and *istimrār* in this connection is reminiscent of Imāmī usage (cf. above, ch. 11, 276 no. (2)). Note that Āmidī is silent on the danger condition, perhaps inadvertently; hence Katīb Chelebi's elaboration of the sixth restriction.

⁸² It may be noted in passing that Āmidī makes no mention of performance in the heart (cf. above, notes 54, 68).

⁸³ Ījī (d. 756/1355), *al-'Aqīda al-'Aḡudiyya*, apud Dawānī (d. 908/1502), *Sharḥ 'alā 'l-'Aḡā'id al-'Aḡudiyya*, printed in the margin of the *Hāshiyas* thereto of Siyālkūtī (d. 1067/1657) and Muḥammad 'Abduḥ (d. 1323/1905), Cairo 1322, 211.3; and his *Mawāḡif*, 331f. All the points mentioned in the *'Aḡudiyya* are covered in the *Mawāḡif*. In the latter he discusses familiar topics: obligatoriness and supererogation, the collective character of the duty, and the conditions of obligation. He also remarks, in a manner reminiscent of Juwaynī, that whereas 'we' regard the subject as belonging to positive law (*furū'*), the Mu'tazilites consider it under theology (*uṣūl*) (*Mawāḡif*, 331.6; cf. above, note 2).

⁸⁴ One is that one must think it will not lead to disorder (*fitna*), or fail to achieve its purpose – though (in this latter case) it is still virtuous to proceed for the glory of Islam (*iḡhārān li-shi'ar al-Islām*) (*ibid.*, 331.24; cf. above, note 81, no. (6)). The other is that there must be no spying (backed by Koran, tradition and an appeal to the practice (*sira*) of the Prophet) (*ibid.*, 332.3).

⁸⁵ Jurjānī, *Sharḥ*, apud Ījī, *Mawāḡif*, 331f. Elsewhere this Ḥanafī Ash'arite provides revelationist definitions of *ma'rūf* and *munkar* (al-Sayyid al-Sharīf al-Jurjānī (d. 816/1413), *Ta'rīfat*, ed. 'A. 'Umayra, Beirut 1987, 275.14, 290.5; cf. also Shayzarī (fl. later sixth/twelfth century), *Nihāyat al-rutba*, ed. S. B. al-'Arīnī, Cairo 1946, 6.4, whence Ibn Bassām (seventh or eighth/thirteenth or fourteenth century?), *Nihāyat al-rutba*, ed. Ḥ. al-Sāmarrā'ī, Baghdad 1968, 10.6, and Ibn al-Ukhuwwa, *Ma'ālim*, 8.15, and cf. 22.5).

⁸⁶ Dawānī, *Sharḥ*, 211.3. However, a good many of the points he supplies in this commen-

notable point is his formal division of the category of wrong (*munkar*) into the forbidden (*ḥarām*) and the disapproved (*makrūh*).⁸⁷

The last free-standing theological account of forbidding wrong is by Sa'd al-Dīn al-Taftazānī (d. 793/1390), accompanied by his own commentary.⁸⁸ Taken together, the two works give a fairly substantial coverage of the duty. The backbone of the account is taken from Juwaynī, suitably paraphrased,⁸⁹ but there is a liberal admixture of other elements.⁹⁰ The string of topics is as usual a familiar one.⁹¹ Taftazānī's doctrine of the conditions of obligation, unlike those of his predecessors, is a triad: (1) knowledge of the law (*al-ʿilm bi-wajh al-maʿrūf*); (2) the prospect of efficacy (*tajwīz al-taʿthīr*); and (3) the absence of undesirable consequences (*intifāʾ al-mafsada*).⁹² This triad is reminiscent of that of the Mālikī Ibn Rushd (d. 520/1126),⁹³ but any hypothesis that the two triads might go back to a common Ashʿarite source is complicated by the fact that there are also occasional parallels in unusually stripped-down versions of the conditions given in Imāmī sources.⁹⁴

The other main genre that concerns us, commentary on the 'three modes' tradition, goes back to Nawawī (d. 676/1277), the Damascene Shāfi'ite traditionist and jurist. Nawawī included the tradition in his selection of forty traditions,⁹⁵ and accordingly discussed it briefly in his own commentary on that collection.⁹⁶ At the same time he treated the tradition at much greater

tary to the *ʿAḍudiyya* are already present in, if not taken from, the *Mawāqif*. The glosses of Siyālkūti to Dawānī are uninteresting.

⁸⁷ *Ibid.*, 211.4. Ījī introduces the category of *makrūh*, but does not specify whether it is a species of *munkar* (*Mawāqif*, 331.4; cf. also Taftazānī, *Sharḥ al-Maqāṣid*, 5:171.21, and the scholastic account quoted in Ibn al-Ukhuwwa, *Maʿālim*, 22.6). Baydāwī (*Anwār*, 2:35.17 (to Q3:104)) follows Zamakhsharī (*Kashshāf*, 1:397.10) in explicitly denying the divisibility of wrong. For Imāmī parallels to Dawānī's view, see above, ch. 11, notes 142, 250; the same view appears in Bājūrī, *Tuḥfa*, 202.7.

⁸⁸ Taftazānī, *Sharḥ al-Maqāṣid*, 5:171–5; cf. above, ch. 12, note 52.

⁸⁹ This dependence is not acknowledged, but at one point Taftazānī expressly cites him (*ibid.*, 174.11); compare the echoes of Juwaynī noted for Āmidī and Ījī (see above, notes 78, 81, 83). Taftazānī too has the idea of one person performing the duty in each district (*buqʿa*, *ibid.*, 174.23).

⁹⁰ Thus the idea of a duty to proceed *iʿzāzan lil-dīn* is considered and dismissed with a reference to *idhlāl* (*ibid.*, 173.21). This is a clear echo of Muʿtazilite doctrine, though hardly an accurate representation of it (see above, ch. 9, 209 no. (5), and cf. also ch. 6, note 142); but for the use of the term *idhlāl* in a Ḥanbalite source, cf. above, ch. 6, note 150. For his citation of a Ḥanafī source, see above, ch. 12, note 54.

⁹¹ Thus he deals with the grounds of obligation, obligation and supererogation, the correct understanding of Q5:105, the conditions of obligation, the role of individual subjects and laymen, matters in dispute between the law-schools, the obligation of the sinner, the collective character of the obligation and, somewhat unusually, the duties of the official *muḥtasib*. ⁹² *Ibid.*, 172.4 (in the *Maqāṣid*); similarly 173.15 (in the commentary).

⁹³ See below, ch. 14, 363f.

⁹⁴ See above, ch. 11, notes 183–5. The wording of the *Maqāṣid*, such as it is, is surprisingly close to that found in Naṣīr al-Dīn al-Ṭūsī's *Tajrīd*; a possible link between the two might be Iṣfahānī's commentary on the *Tajrīd* (*Tasḍīd*, f. 224a.10). ⁹⁵ See above, ch. 3, note 7.

⁹⁶ Nawawī, *Sharḥ matn al-Arbaʿīn*, 91f.

length in his commentary on Muslim,⁹⁷ a genre he inherited from his Mālikī predecessors.⁹⁸

Whatever one might have expected, Nawawī's approach is not very different in style or content from the theological presentations we have already considered.⁹⁹ The range of topics covered is much the same – the grounds of obligation (with the familiar references to the views of Shī'ites and Mu'tazilites),¹⁰⁰ the collective character of the duty, and so forth; however, no formal schema of conditions is in evidence. There is no indication of allergy to Ash'arism: Juwaynī is quoted several times, and with respect.¹⁰¹ The main difference is the presence in Nawawī's account of a note of moral urgency missing in the theological literature: he lays great stress on the importance of the duty and its present sorry state.¹⁰²

There is, however, one curious doctrinal deviation. The usual view, expressed also in the theological literature considered above, is that there is no duty where the initiative will not be successful.¹⁰³ 'Izz al-Dīn ibn 'Abd al-Salām (d. 660/1262) explains this straightforwardly enough: forbidding wrong is a means to an end, and if the end does not stand, neither does the means.¹⁰⁴ Nawawī, by contrast, states it as the view of the scholars that the duty is not voided because one thinks it will not work (*li-kawnihī lā yufīd fī ḡannihī*).¹⁰⁵ One's duty is to command and forbid, not that the offender should comply (*innamā 'alayhi 'l-amr wa'l-nahy lā 'l-qabūl*).¹⁰⁶ Likewise in his commentary to his forty traditions, Nawawī

⁹⁷ Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:380–6.

⁹⁸ He quotes the commentary of Qāḍī 'Iyāḍ (d. 544/1149) at two points (*ibid.*, 380.20, 385.6). The first passage corresponds to 'Iyāḍ, *Ikmāl al-Mu'lim*, ms. Dublin, Chester Beatty, no. 3.836, f. 44b.21, the second to f. 45a.18. For this manuscript, see Arberry, *Handlist*, 4:25.

⁹⁹ A real traditionalist commentary on the tradition is that of the Ḥanbalite Ibn Rajab (d. 795/1393) (*Jāmi'*, 346–52).

¹⁰⁰ Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:382.6. Both references are taken (without acknowledgment) from 'Iyāḍ (*Ikmāl*, f. 45a.16).

¹⁰¹ Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:382.7, 383.3, 385.19, 385.23 (all are passages from the *Irshād*). In the first passage Juwaynī is referred to as *al-imām Abū 'l-Ma'ālī Imām al-Ḥaramayn*. Subkī describes Nawawī as an Ash'arite (*Ṭabaqāt*, 1:132.3, and his *Qā'ida fī 'l-jarḥ wa'l-ta'dīl*, ed. A. Abū Ghudda, Aleppo 1968, 25.7).

¹⁰² Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:383.21, 386.14. Nawawī practised what he preached (see below, note 135).

¹⁰³ For an isolated Sunnī exception not dependent on Nawawī, see below, ch. 16, note 41. For similar Ibādī views, see below, ch. 15, notes 48, 180f.

¹⁰⁴ 'Izz al-Dīn ibn 'Abd al-Salām (d. 660/1262), *Qawā'id al-aḥkām*, Cairo n.d., 1:109.5 (*al-wasā'il tasquṭ bi-suqūṭ al-maḡāṣid*). It does, however, remain commendable (*wa-yabqā 'l-istiḥbāb*). Elsewhere he remarks with reference to *al-amr bi'l-ma'rūf* that risking life is lawful for the greater glory of the faith (*i'zāz al-dīn*) (see the quotations in Subkī, *Ṭabaqāt*, 8:228.8, and cf. Šāliḥī, *Kanz*, 130.10). (For his use of the phrase *i'zāz al-dīn* in another context, see his *Qawā'id*, 1:106.1; for the phrase, cf. above, note 90.)

¹⁰⁵ Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:382.17. He does not owe this view to 'Iyāḍ.

¹⁰⁶ *Ibid.*, 382.12, 382.19. He quotes Q51:55 and Q5:99. The first verse states that 'the reminder profits (*tanfā'u*) the believers'; thus Nawawī could have made his point in a less

affirms – here in his own voice – that someone who is able to perform the duty verbally must do so even if he will not be listened to, just as one must greet a person even if one knows that he will not return the greeting.¹⁰⁷

The subsequent Shāfi'ite commentaries base themselves on Nawawī's to a greater or lesser extent.¹⁰⁸ No two are the same, but they are not sufficiently different to merit separate treatment. A good indication of the way in which they belong to a common tradition is their marked tendency to repeat or otherwise take note of Nawawī's rejection of the view that obligation turns on the prospect of success;¹⁰⁹ this rejection is much less in evidence among non-Shāfi'ite commentators.¹¹⁰ (As might be expected, Nawawī's view also crops up in other Shāfi'ite works.)¹¹¹ The latest of these

drastic fashion by arguing that the performance of the duty achieves something even when the offender is obdurate.¹⁰⁷ Nawawī, *Sharḥ matn al-Arba'in*, 92.1.

¹⁰⁸ That of Ibn Daqīq al-ʿId (*Sharḥ al-Arba'in*, 55–7) is so dependent on Nawawī as to need no further discussion. The others I have consulted are those of Ibn Farāḥ al-Ishbīlī (d. 699/1300) (*Sharḥ al-Arba'in*, ms. Princeton, Yahuda 4,161, ff. 61b–65a; for this manuscript, see Mach, *Catalogue*, 64 no. 711; the author, despite his provenance, was a Shāfi'ite); Taftazānī (*Sharḥ ḥadīth al-Arba'in*, 105); Ibn Ḥajar al-Haytamī (*Fath*, 244–8); Fashnī (writing 978/1570) (*al-Majālis al-saniyya*, Cairo 1278, 133–6); Shabshūrī (d. c. 990/1582) (*al-Jawābir al-bahīyya*, ms. Princeton, Garrett 753H, ff. 101b–102b; for this manuscript, see Hitti, *Catalog*, 435 no. 1436); Munāwī (d. 1031/1622) (*Ta'liq*, ms. Princeton, Garrett 752H, ff. 126a–128a; for this manuscript, see Hitti, *Catalog*, 435 no. 1435); and Nabarāwī (writing 1243/1828) (*Sharḥ 'alā 'l-Arba'in*, Cairo 1960, 171–4). An oddity in this company is the commentary of ʿIzz al-Dīn Muḥammad ibn Jamā'a (d. 819/1416) (*al-Tabyīn fī sharḥ al-Arba'in*, ms. Princeton, Yahuda 4,010, ff. 75b–76b; for this manuscript, see Mach, *Catalogue*, 64f. no. 714); this discussion draws heavily on the commentary of the Ḥanbalite Ṭūfī (note particularly the utilitarian formulations, *ibid.*, 76a.3, 76a.7; cf. above, ch. 7, note 75). It is worth noting that Taftazānī explicitly extends the obligation to women and slaves (*Sharḥ ḥadīth al-Arba'in*, 105.16).

¹⁰⁹ Ibn Farāḥ, *Sharḥ*, f. 62b.7; Ibn Ḥajar al-Haytamī, *Fath*, 245.11 (stating Nawawī's position, but noting widespread adherence to the contrary view); Fashnī, *Majālis*, 134.30; Shabshūrī, *Jawābir*, f. 102a.14; Munāwī, *Ta'liq*, f. 128a.3; Nabarāwī, *Sharḥ*, 172.20; also Mu'īn al-Dīn ibn Ṣafī al-Dīn al-Ījī (alive in 911/1506), *Sharḥ al-Arba'in*, ms. Princeton, Garrett 117W, f. 141b.5; for this manuscript, see Hitti, *Catalog*, 435f. no. 1437, and for the author, Najm al-Dīn al-Ghazzī (d. 1061/1651), *al-Kawākib al-sā'ira*, ed. J. S. Jabbūr, Beirut 1945–58, 1:307f.; Muṣliḥ al-Dīn al-Lārī (d. 979/1572), *Sharḥ al-Arba'in*, ms. Princeton, Yahuda 5,067, f. 142a.5 (for this manuscript, see Mach, *Catalogue*, 65 no. 715; for the author, a Shāfi'ite who later became a Ḥanafī, see *EP*², art 'Lārī' (H. Sohrweide)). The exceptions are Taftazānī, who instead gives a statement of the usual view, adding that it is nevertheless commendable to proceed *izḥāran li-shi'ār al-Islām* (*Sharḥ ḥadīth al-Arba'in*, 105.15 – for his view in his *Sharḥ al-Maqāṣid*, cf. above, notes 90, 92), and Ibn Jamā'a (cf. the previous note).

¹¹⁰ Most of the non-Shāfi'ite commentaries I have seen do not mention Nawawī's deviant view (see, for example, Ibn Rajab, *Jāmi'*, 350.12, 351.3; ʿAlī al-Qārī, *Mubīn*, 189.27; Ismā'īl ḥaqqī, *Sharḥ*, 340.3). But for the adoption of Nawawī's view in a Ḥanbalite source, see Ṣāliḥī, *Kanz*, 128.2.

¹¹¹ Ibn Abī Sharīf al-Maqdisī follows it in his commentary to the *ʿAqida* of Ibn Daqīq al-ʿId (*ʿIqd*, f. 30a.16), as does the jurist Shirbīnī (d. 977/1570) (*Mughnī 'l-muḥtāj*, Cairo 1933, 4:211.16). Bājūrī remarks that 'most of the scholars, like the Shāfi'ites' deny that efficacy is a condition (*Tuhfa*, 203.11); this observation, unlike most of Bājūrī's discussion of this condition, is not found in his Vorlage (Laqānī, *Hidāya*, f. 282a.19).

commentaries I have consulted, that of Nabarāwī (active in 1257/1842), ends on an appropriate note. After quoting Nawawī's lament about the sad state of forbidding wrong in his day,¹¹² Nabarāwī remarks that if that is how matters stood in the sixth/twelfth century (*sic*), what can we say of our own time?¹¹³

What this leaves is a monograph on the duty by Ibn al-Naḥḥās (d. 814/1411),¹¹⁴ a Damascene who settled in Damietta.¹¹⁵ The work, which he wrote in less than two months in 810–11/1408,¹¹⁶ is rather similar in character to that written a few decades later by Zayn al-Dīn al-Ṣāliḥī (d. 856/1452),¹¹⁷ though considerably less substantial.¹¹⁸ Like Ṣāliḥī, he relies primarily on Ghazzālī for the doctrinal bedrock of his account, adopting his structures, echoing his formulations, and including a score of attributed quotations from him;¹¹⁹ but he includes material from many other sources, mainly though by no means exclusively Shāfi'ite.¹²⁰ He occasionally claims ideas as his own, but they are not in themselves particularly noteworthy ones.¹²¹ He pronounces clearly in favour of the performance of the duty by women in so far as they are able,¹²² but he expresses no view of his own on Ghazzālī's most violent level of performance of the duty,¹²³ and he does not take sides over Nawawī's rejection of the efficacy condition.¹²⁴ He includes much tradition (*ḥadīth*) and much exhortation; his intended audience seems not to be restricted to the learned.¹²⁵

For the period after Ghazzālī, the biographical literature offers numerous examples of Shāfi'ites known for their performance of the duty.

¹¹² Nabarāwī, *Sharḥ*, 173.21. ¹¹³ *Ibid.*, 174.3.

¹¹⁴ Ibn al-Naḥḥās (d. 814/1411), *Tanbih al-ghāfilīn*, ed. 'I. 'A. Sa'īd, Beirut 1987. This work was brought to my attention by Larry Conrad and Maribel Fierro, and a copy was kindly obtained for me by Margaret Larkin. ¹¹⁵ Sakhāwī, *Ḍamʿ*, 1:203.14.

¹¹⁶ Ibn al-Naḥḥās, *Tanbih*, 536.18.

¹¹⁷ See above, ch. 7, 161–3. It is quite possible that Ṣāliḥī knew his predecessor's work and was influenced by it, but I have noticed no specific evidence of this.

¹¹⁸ It is in fact only the first quarter of the book (15–130) that really concerns us. The rest consists in large part of a massive catalogue of sins (major and minor) and of things the Prophet forbade (*ibid.*, 131–426), and this is followed by a lengthy survey of wrongs and innovations (*ibid.*, 427–531). The survey owes its general conception to Ghazzālī (cf. below, ch. 16, 442–5), and quotes him from time to time (*ibid.*, 435.1, 460.12, etc.); but most of the material in it derives from other sources, or is the work of Ibn al-Naḥḥās himself. After the first quarter of the book, direct references to *al-amr bi'l-ma'rūf* occur only sporadically (as *ibid.*, 167.1, 316.4).

¹¹⁹ He does not, however, adopt Ghazzālī's *ḥisba* terminology (cf. below, ch. 16, 428f.).

¹²⁰ The author most frequently cited is Nawawī. ¹²¹ See *ibid.*, 30.22, 112.17.

¹²² *Ibid.*, 20.12 (with reference to Q9:71), 33.8 (also including slaves).

¹²³ *Ibid.*, 59.2; cf. below, ch. 16, 441. ¹²⁴ *Ibid.*, 118.4.

¹²⁵ He glosses the terms *shuraṭ* (explaining that the singular is *shurṭī*) and *maw'ūda* (*ibid.*, 38.10).

Instances from the sixth/twelfth century are Abū Ḥaṣṣ al-Hamadhānī (d. 554/1159),¹²⁶ Ibn 'Asākir (d. 571/1176),¹²⁷ Silaṭī (d. 576/1180),¹²⁸ Muḥammad ibn 'Abd al-Karīm al-Rāfi'ī (d. 580/1184),¹²⁹ Bawāziri (d. 582/1186f.),¹³⁰ Khubūshānī (d. 587/1191)¹³¹ and Shihāb al-Dīn al-Ṭūsī (d. 596/1200).¹³² By far the most colourful of these figures is Khubūshānī. A series of anecdotes stresses his fearlessness in confrontation with political power, whether Fāṭimid or Ayyūbid; once when Saladin (r. 564–89/1169–93) refused to comply with a petition of his regarding illegal taxes, Khubūshānī went so far as to poke at the ruler with a stick, knocking off his headgear.¹³³ Such examples occur sporadically thereafter. They include authorities as well known as 'Izz al-Dīn ibn 'Abd al-Salām,¹³⁴ Nawawī¹³⁵ and Ibn Ḥajar al-Haytamī (d. 974/1567),¹³⁶ and also lesser figures such as 'Abd al-Fattāḥ ibn Nūḥ of Qūṣ (d. 708/1309),¹³⁷ the Damascene Aḥmad ibn 'Abd al-Wahhāb (d. 800/1398)¹³⁸ and Ja'far ibn

¹²⁶ Subkī, *Ṭabaqāt*, 7:248.12; Isnawī, *Ṭabaqāt*, 2:7.14; Ibn Kathīr, *Ṭabaqāt*, 2:647.17.

¹²⁷ Isnawī, *Ṭabaqāt*, 2:217.5; Ibn Kathīr, *Ṭabaqāt*, 2:695.10. Both note his scant deference (*iltifāt*) to rulers.

¹²⁸ Subkī, *Ṭabaqāt*, 6:38.8; Ibn Kathīr, *Ṭabaqāt*, 2:686.16. He dealt with many offences in his neighbourhood, and once prevented a group who sang the Koran (*yaqra'ūn bi'l-alḥān*) from doing so.

¹²⁹ Rāfi'ī (d. 623/1226), *al-Tadwīn fī akhbār Qazwīn*, ed. 'A. al-'Uṭaridī, Beirut 1987, 1:382.4. Rāfi'ī here devotes a short section to his father's zeal in *al-amr bi'l-ma'rūf*, and describes the psychosomatic symptoms he was sometimes subject to when unable to right a wrong. Cf. also *ibid.*, 2:2.3, 3:214.6. I owe these references to Nurit Tsafir.

¹³⁰ Subkī, *Ṭabaqāt*, 7:89.6; Isnawī, *Ṭabaqāt*, 1:269.1.

¹³¹ Subkī, *Ṭabaqāt*, 7:14.16; Ibn Kathīr, *Ṭabaqāt*, 2:730.1.

¹³² Subkī, *Ṭabaqāt*, 6:397.8. Subkī also tells us that Ibn al-Bazrī (d. 560/1165) was of the opinion that a man has a duty to order his wife to pray, and to beat her if she does not (*ibid.*, 7:253.19).¹³³ *Ibid.*, 16.10; and cf. Ibn Kathīr, *Ṭabaqāt*, 2:730.20.

¹³⁴ Subkī, *Ṭabaqāt*, 8:209.5; Isnawī, *Ṭabaqāt*, 2:198.4 (noting his contempt for kings); and cf. Ibn Kathīr, *Ṭabaqāt*, 2:874.13. His zeal for the duty seems to have been directed primarily against heresy and innovation, specifically Ḥanbalism (Subkī, *Ṭabaqāt*, 8:223.4, 228.8, 253.2, and cf. 218.7, 238.11).

¹³⁵ *Ibid.*, 397 n. 1, mentioning his encounters with Baybars (r. 658–76/1260–77); also Isnawī, *Ṭabaqāt*, 2:477.15 (speaking of confrontations with kings and lesser figures); Ibn Kathīr, *Ṭabaqāt*, 2:912.12 (with a similar comment); Sakhāwī (d. 902/1497), *Tarjamat Shaykh al-Islām ... Abī Zakariyyā Muḥyī 'l-Dīn al-Nawawī*, ed. M. H. Rabi', Cairo 1935, 3.1, 34.13, 47.5, 56.11, 56.25, 57.18, 57.23, 63.16.¹³⁶ Shawkānī, *Badr*, 1:109.16.

¹³⁷ Subkī, *Ṭabaqāt*, 10:87.10.

¹³⁸ Ibn Qāḍī Shuhba (d. 851/1448), *Ṭabaqāt al-Shāfi'iyya*, ed. 'A. Khān, Hyderabad 1978–9, 3:198.9 (in the context of religious instruction during the pilgrimage). Other such figures are: 'Abdallāh ibn Marwān al-Fāriqī (d. 703/1303) ('Afīf al-Dīn al-Maṭarī al-'Ubādī (d. 765/1363f.), *Dhayl Ṭabaqāt al-fuqahā' al-Shāfi'iyyīn*, apud Ibn Kathīr, *Ṭabaqāt*, 3:185.9; for the author, see C. Gilliot, 'Textes arabes anciens édités en Egypte au cours des années 1994 à 1996', *MIDEO*, 23 (1997), 287f.); Ibn Shihāb al-Isnā'ī (d. 707/1307f.) (Isnawī, *Ṭabaqāt*, 1:159.6); Ṣadr al-Dīn al-Yāsūfi (d. 789/1387) (Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3:208.2); Burhān al-Dīn ibn Abī Sharīf al-Maqdisī (d. 923/1517) (Ghazzī, *Kawākib*, 1:104.5, and cf. above, note 72). The latter was a Damascene of Zāhirite tendencies who apparently practised *al-amr bi'l-ma'rūf* in a phase of his life when he had dropped out of academia and taken up asceticism.

Ḥasan al-Barzanjī (d. 1177/1764).¹³⁹ A dramatic incident involved the Cairene Nūr al-Dīn al-Bakrī (d. 724/1324), who with much popular support confronted Muḥammad ibn Qalāwūn (r. 693–741/1293–1341 with intermissions) over the Coptic question in 714/1314. He quoted the tradition on standing up to an unjust ruler, and when the infuriated sultan asked if the reference was to himself, Bakrī accused him of giving the Copts power over the Muslims.¹⁴⁰

All in all, three features of the Shāfiʿite record after Ghazzālī stand out. One is the continuing dependence on Juwaynī, which is the more striking in that Juwaynī's account, though forceful, was neither extended nor comprehensive. The second feature, which goes well with this, is the relative immunity of the Shāfiʿites to the accommodationist tendencies of the mainstream of the Ḥanafīs. The accounts of Ḥalīmī and Abū Ishāq al-Shīrāzī do not reappear in the later tradition. The only Shāfiʿite author to quote the saying about the tripartite division of labour is Munāwī (d. 1031/1622);¹⁴¹ the only jurist with views reminiscent of Ḥalīmī's is ʿAbd al-Barr al-Ujhūrī (later eleventh/seventeenth century), who apparently held that the common people had no business commanding or forbidding, and considered it inappropriate for a scholar to perform the duty unless he was dressed like one.¹⁴² The final feature of the Shāfiʿite record is the lack of any firm structure of school doctrine comparable to that of the Muʿtazilites. A telling example of this is the fact that no two of the major Shāfiʿite authorities have the same number of conditions of obligation.

¹³⁹ For this Shāfiʿite *mufī* of Medina, see Jabartī (d. 1240/1824f.), *ʿAjāʾib al-āthār*, Beirut n.d., 1:403.16; for the date of his death, I follow Murādī, *Silk al-durar*, 2:9.26.

¹⁴⁰ See Subkī, *Ṭabaqāt*, 10:370.10; Ibn Qāḍī Shuhba, *Ṭabaqāt*, 2:361.7, and 362 nn. 15, 21; D. Richards, 'The Coptic bureaucracy under the Mamlūks', in *Colloque international sur l'histoire du Caire*, Cairo n.d., 378. Nuwayrī (d. 733/1333), in a passage quoted by Richards from manuscript, remarks with apparent disapproval that Bakrī had no official mandate or permission to engage in *al-amr bi'l-ma'rūf*.

¹⁴¹ Munāwī, *Taʿlīq*, f. 127b.14; for *lil-ʿamal* read *lil-ʿulamāʾ*.

¹⁴² See ʿAbd al-Barr al-Ujhūrī (later eleventh/seventeenth century), *Fath al-qarīb*, ms. Princeton, Yahuda 5,504, f. 95a.18, 95b.5 (where *laysa* has dropped out before *lābisān*; for this manuscript, see Mach, *Catalogue*, 200 no. 2,339). The work is a commentary on the *Jawharat al-tawḥīd* of the Mālikī Ibrāhīm al-Laḳānī, from whose own commentary (*Hidāya*, f. 283b.11) Ujhūrī has doubtless taken the stipulation about dress; Laḳānī himself, however, gives it only as the view of a certain authority (*baʿḍ al-aʿimma*).

CHAPTER 14

THE MĀLIKĪS

1. INTRODUCTION

In contrast to the Shāfi'ites, the Mālikīs preserved a considerable amount of material regarding the views of their Medinese founder, Mālik ibn Anas (d. 179/795), on non-legal matters. They did not, however, adhere strongly to this heritage in the manner of the Ḥanbalites, nor did they elaborate it into a specifically Mālikī theology comparable to Māturīdism. Instead they adopted Ash'arism. In this they resembled the Shāfi'ites; but for whatever reasons, the Mālikī reception of Ash'arism does not seem to have provoked the sustained opposition within the school that characterises the Shāfi'ite case.¹ Indeed the Shāfi'ite Subkī (d. 771/1370) describes the Mālikīs as the Ash'arites *par excellence* (*akhaṣṣ al-nās bi'l-Ash'ari*), explaining that he had never heard of a non-Ash'arite Mālikī;² and in

¹ This reception has been studied with particular reference to Ifrīqiya and Spain. For Ifrīqiya, see H. R. Idris, 'Essai sur la diffusion de l'aš'arisme en Ifrīqiya', *Les Cahiers de Tunisie*, 1 (1953); H. R. Idris, *La Berbérie orientale sous les Zirīdes*, Paris 1962, 700–5. For Spain, see M. Fierro, 'La religión', in M. J. Viguera Molíns (ed.), *Los reinos de taifas: al-Andalus en el siglo XI* (= *Historia de España Menéndez Pidal*, tomo VIII–I), Madrid 1994, 414f., and the bibliography there cited; Fierro stresses the central role of Bājī (d. 474/1081). Clear evidence that there was at one time strong opposition to Ash'arism in the west is to be found in some responsa of Ibn Rushd discussed in V. Lagardère, 'Une théologie dogmatique de la frontière en al-Andalus aux XIe et XIIe siècles: l'aš'arisme', in *Anaquel de Estudios Árabes*, 5 (1994), 93–7; see particularly Ibn Rushd (d. 520/1126), *Fatāwā*, ed. M. T. al-Talīfī, Beirut 1987, 804.2, 943.9. Ibn Ṭumlūs (d. 620/1223f.) speaks of a lingering but no longer virulent hostility (*al-Madkhal li-ṣinā'at al-manṭiq*, ed. M. Asín, Madrid 1916, 11.13). Ibn Khuwāzmindād, an eastern Mālikī of the fourth/tenth century, regarded every *mutakallim*, Ash'arite or other, as a heretic (Ibn 'Abd al-Barr, *Jāmi'*, 943.6, and cf. 'Iyād (d. 544/1149), *Tartīb al-madārik*, ed. A. B. Maḥmūd, Beirut n.d., 4:606.14; for *al-Misrī* at Ibn 'Abd al-Barr, *Jāmi'*, 942.19, read *al-Baṣrī* with Ibn Ḥajar, *Lisān al-Mizān*, 5:291.12 (I owe this reference to Joseph Braude)). Ibn 'Abd al-Barr (d. 463/1071) himself takes a strong line against *ahl al-kalām* of all kinds, but without making specific mention of Ash'arites (*Jāmi'*, 944.8, and cf. *ibid.*, 938.7 (invoking the view of Mālik), 942.15).

² Subkī, *Ṭabaqāt*, 3:367.14; he notes that other schools are known to have had Mu'tazilite or anthropomorphist wings. He later says that all Mālikīs are Ash'arites (*al-Mālikīyya kull-uhum Ash'ari*, *ibid.*, 377.18); but he follows this with statements about the prominence

another context he refers to the western Ashʿarites as particularly rigid in their adherence to the exact doctrines of Ashʿarī himself.³ An incidental but significant effect of this shared Ashʿarism was to make the membrane between Mālikism and Shāfiʿism particularly permeable.

The history of Mālikī doctrines of forbidding wrong has to be seen against this background. I shall first consider the opinions transmitted from Mālik himself. These do not add up to a comprehensive doctrine, but they deal with several significant issues. I shall then turn to views contemporary with the Ashʿarite phase of Mālikī thought. I have, however, already noted the absence of any specifically Ashʿarite doctrine of forbidding wrong.⁴ As we shall see, the later Mālikī doctrine of the duty possesses little coherence as a tradition, and the continuing influx of Shāfiʿite ideas only tends to accentuate this instability. At the same time, and in marked contrast to the Shāfiʿite case, there is no equivalent within the school to the dominating figure of Ghazzālī (d. 505/1111).

After discussing Mālikī doctrine, I shall give separate treatment to Mālikī practice. Far more than the Shāfiʿite sources, Mālikī works contain significant amounts of material bearing directly on the practice of the duty. Broadly speaking, this material falls into two categories. The first reflects the characteristic milieu of the early centuries of Mālikī history: urban populations under relatively strong state authority in such cities as Medina, Fuṣṭāṭ, Qayrawān and Cordoba. Here we find a practice of forbidding wrong comparable to that of the early Ḥanbalites, though not so emphatically quietist. The second category of material arises from the subsequent spread of Mālikism among North African tribal populations with political proclivities of a kind that had previously been articulated in Khārijite or Shīʿite idioms. Here, in contrast to the earlier – and continuing – urban environment, forbidding wrong can take on politically activist overtones more characteristic of sectarian Islam.

2. EARLY MĀLIKĪ DOCTRINE

We are told that the Egyptian Ibn Wahb (d. 197/813) heard Mālik state, regarding the question of someone who sees something that invites commanding or forbidding, that worthy scholars (*ahl al-khayr waʿl-fiqh*) hold

Footnote 2 (*cont.*)

of Ashʿarism among the Ḥanafīs and Ḥanbalites which shed some doubt on his credibility (for the strength of Subkī's Ashʿarite bias, cf. G. Makdisi, 'Ashʿarī and the Ashʿarites in Islamic religious history', *Studia Islamica*, 17 (1962), 57–60).

³ Subkī, *Ṭabaqāt*, 6:244.7. He makes special reference to Māzarī (d. 536/1141) as an Ashʿarite fundamentalist (*ibid.*, 244.1, 245.2). ⁴ See above, ch. 13, 340.

differing opinions;⁵ what these opinions might be we are not told. When he speaks in his own voice, however, Mālik is clearly of the view that forbidding wrong is a good thing.⁶ Thus he is asked about offences committed ‘among us’ against public morality: a Muslim openly carries wine around, or he walks in the street with a young woman to whom he chats, and when challenged claims that she is his freedwoman (*hiya mawlātī*). Should one not step out and do something to stop this kind of thing? Mālik replies that he thoroughly approves of such action, and would like to see it happen.⁷ We could hardly expect him to say less.

More interestingly, the views attributed to Mālik offer a fragmentary account of the conditions for the duty which is to some extent reminiscent of the efficacy–harm matrix later propounded by the Ḥanafī Abū ’l-Layth al-Samarqandī (d. 373/983).⁸ In one passage, Mālik is asked about a man who commands another to act rightly, when he knows that the offender will not obey him, and at the same time the offender is someone like a neighbour or brother of whom he is not in fear. He replies that he sees no harm in it,⁹ if he treats him nicely, since God may bestow success on his effort (despite his negative expectation). In support, Mālik quotes a Koranic passage in which God tells Moses and Aaron to speak gently to Pharaoh ‘that haply he may be mindful, or perchance fear’ (Q20:44), and goes on to relate an anecdote about how ‘Umar ibn al-Khaṭṭāb (r. 13–23/634–44)

⁵ Ibn Abī Zayd, *Jāmi‘*, 158.1. This and other opinions quoted below are found in a chapter on *ḥanān*, *fasād al-zamān*, *al-amr bi’l-ma’rūf*, and other topics (*ibid.*, 153–9; for this association of topics, cf. above, ch. 3, note 37). Ibn Abī Zayd states that most of what is in the book is taken *min majālis Mālik wa-min Muwaṭṭa’ihi* (*Jāmi‘*, 301.8). The phrase *majālis Mālik* doubtless refers to such works as the *Majālis* of Ibn al-Qāsim (d. 191/806) or the *Majālis* of Aṣṣagh ibn al-Faraj (d. 225/840) (see Abū Bakr ibn Khayr (d. 575/1179), *Fahrasa*, ed. F. Codera and J. Ribera Tarrago, Beirut n.d., 254.1, 254.16). The *Muwaṭṭa’* is not in question where materials on *al-amr bi’l-ma’rūf* are concerned. It does contain a saying related by ‘Umar ibn ‘Abd al-‘Azīz (d. 101/720) to the effect that God will not hold the common people responsible for the sins of the elite (*khāṣṣa*) unless evils (*munkar*) are committed in public (*jihārān*) (Mālik, *Muwaṭṭa’*, 991 no. 23; for parallels, see above, ch. 3, note 64); the commentators could have taken this as an invitation to treat *al-amr bi’l-ma’rūf* at length, but those I have checked do not do so (see, for example, Bāji (d. 474/1081), *Muntaqā*, Cairo 1332, 7:316.16).

⁶ In addition to what follows, there is a brief exhortation to *al-amr bi’l-ma’rūf* in an epistle attributed to Mālik (*Risāla fi ’l-sunan wa’l-mawā’iḏ wa’l-ādāb*, Cairo 1937, 6.12; for this work, see Sezgin, *Geschichte*, 1:464, item II).

⁷ ‘Utbi (d. 255/869), *Mustakbraja*, apud Ibn Rushd (d. 520/1126), *al-Bayān wa’l-tahṣīl*, ed. M. Ḥajji *et al.*, Beirut 1984–91, 9:360.2 (for this work, which was drawn to my attention by Maribel Fierro, see M. Muranyi, *Materialien zur mālikitischen Rechtsliteratur*, Wiesbaden 1984, section III. 1, esp. 53–5); Ibn Abī Zayd, *Jāmi‘*, 157.11.

⁸ See above, ch. 12, note 43; the same schema is used by Ghazzālī, see below, ch. 16, 432f.

⁹ Ibn Rushd in his commentary makes the point that this is a clear indication that Mālik held that *al-amr bi’l-ma’rūf* is not actually obligatory in such circumstances (Ibn Rushd, *Bayān*, 17:84.19).

once performed the duty gently, and this worked.¹⁰ In another passage, Mālik provides an alternative justification for proceeding in such circumstances: even if one is disobeyed, one is still bearing witness against the offender.¹¹ What then if one does fear harm, while again not expecting success? This problem is posed to Mālik by (Muṣʿab) al-Zubayrī (d. 236/251): there are people who, if he commands them, comply; but there are others who instead make him suffer – the poets lampoon him, and the reprobates beat him up and imprison him. What should he do? Mālik’s answer is that if he is in fear of them and thinks that they will not comply, he should leave off, and disapprove only in his heart,¹² this being permissible.¹³ In sum, we know what Mālik thought in the absence of a prospect of success, with and without a prospect of harm. But we have no statement of his views in cases where success is to be anticipated. Presumably he held it obligatory to proceed in the absence of danger, but we are left to guess at his attitude in its presence.

Another area in which we have a cluster of views from Mālik is the relationship between commanding right and the state. We may first consider the question of rebuking the political authorities for their misdeeds. Mālik states that it is the duty of every Muslim – or scholar – to go in to the ruler or the like (*dhū sulṭān*), and to command good and forbid evil to him; it is for this purpose alone that the scholar enters into the presence of the ruler.¹⁴ In another passage, however, his attitude seems less resolute. When asked whether a man should command and forbid a governor (*wālī*) or the like, his answer is that he should do so if he expects that the offender will comply. To the further question whether one may omit doing so if there is no such expectation, he replies that he does not know.¹⁵ Elsewhere a saying of Mālik is quoted to the effect that he had met seventeen Successors, and had not heard that they had admonished unjust rulers.¹⁶ It is curious that

¹⁰ ‘Utbī, *Mustakbraja*, apud Ibn Rushd, *Bayān*, 17:84.5; similarly, but less fully, Ibn Abī Zayd, *Jāmiʿ*, 156.12 (where for *yutīqulu* read *yutī ʿulu*), and Bājī (d. 474/1081), *Sunan al-ṣāliḥīn*, ms. Leiden, Or. 506, f. 115b.2; also ‘Iyād, *Madārik*, 1:187.2, stressing the importance of doing it nicely. For Bājī’s *Sunan al-ṣāliḥīn*, see Abū Bakr ibn Khayr, *Fahrasa*, 277.10, and Brockelmann, *Geschichte*, second edition, 1:534; for the manuscript, see Voorhoeve, *Handlist*, 347. I am indebted to Maribel Fierro for bringing the work to my attention and sending me a copy of the relevant pages.

¹¹ Ibn Abī Zayd, *Jāmiʿ*, 156.10.

¹² This can be read as an implicit reference to the doctrine of the three modes; the other two terms, however, do not appear in these sayings of Mālik.

¹³ ‘Iyād, *Madārik*, 1:186.21. In another anecdote Mālik upbraids a man who had been badly beaten up as a result of his folly in rebuking a powerful figure at the gate of his own house and in the presence of his retinue (*ibid.*, 141.11).

¹⁴ *Ibid.*, 207.18, without indication of source. Cf. also *ibid.*, 207.16.

¹⁵ Ibn Abī Zayd, *Jāmiʿ*, 157.1. ¹⁶ Mālikī, *Riyāḍ*, 395.5; cf. Ṣāliḥī, *Kanz*, 671.13.

none of these sayings explicitly raises the question of danger, since a ruler or governor, unlike a neighbour or brother, is someone one is likely to be in fear of. Mālik's response to Muṣ'ab al-Zubayrī perhaps bears on the question, if we take it that the imprisonment of which Muṣ'ab complains was inflicted by the authorities.¹⁷

The other issue that arises in relation to the state is cooperation. Here Mālik's attitudes are distinctly positive. He holds that where a neighbour openly drinks wine and the like, and ignores a rebuke, he should be reported to the imam.¹⁸ More significantly, he is asked to comment on a situation in which a man who wishes to take action is unable to do so without recourse to the authorities (*lā yaqwa 'alayhi illā bi-sultān*); he approaches a ruler (*atā sultānan*), who invites him to undertake the task (of enforcing public morality). The man accepts on condition that he is not to sit in any appointed place, nor to have anything to do with set punishments, but is (solely) to command and forbid. Does Mālik approve of such a man undertaking the duty at the command of the ruler (*bi-amr al-sultān*)? Mālik replies that if he is able to perform it, and does it right, he should indeed undertake it.¹⁹

Apart from this, only disparate observations are transmitted from Mālik. With regard to the question who may perform the duty, one issue on which he pronounces is the question whether the sinner is obligated. Here Mālik quotes Sa'īd ibn Jubayr (d. 95/714), who used to say that, were only those who are themselves blameless to forbid wrong, then nobody would ever do so.²⁰ In a parallel passage, Mālik himself endorses this view, and asks rhetorically who can be considered blameless.²¹ With regard to the targets of the duty, he mentions parents and Qadarīs. Asked if one should command and forbid one's parents, his answer is yes, but with becoming humility (cf. Q17:24).²² In response to a query about relations with Qadarīs, Mālik, while holding that one should avoid normal social relations with them, nevertheless states that one should command and forbid them.²³ Finally he

¹⁷ See above, note 13.

¹⁸ Ibn Farḥūn (d. 799/1397), *Tabṣirat al-ḥukkām*, ed. Ṭ. 'A. Sa'd, Cairo 1986, 2:187.14 (from Ibn Wahb); 'Uqbānī, *Tuhfa*, 21.12. The two versions differ considerably in wording; 'Uqbānī attributes his to the *Nawādir* of Ibn Abī Zayd.

¹⁹ 'Utbī, *Mustakbraja*, apud Ibn Rushd, *Bayān*, 9:360.6; similarly Ibn Abī Zayd, *Jāmi'*, 157.14 (read *fā-mā* for *mimmā*).

²⁰ 'Utbī, *Mustakbraja*, apud Ibn Rushd, *Bayān*, 18:37.7.

²¹ *Ibid.*, 330.6 (with mention of Rabī'a, sc. the Medinese Rabī'at al-Ra'y (d. 136/753f.), as the transmitter from Sa'īd to Mālik); similarly Ibn Abī Zayd, *Jāmi'*, 158.12. 'Iyād quotes the passage in a slightly different form as a saying of Mālik (*Madārik*, 1:185.21, without indication of source). ²² Ibn Abī Zayd, *Jāmi'*, 157.5.

²³ 'Iyād, *Madārik*, 1:176.2 (mentioning Ibn Wahb as one source).

takes the view that one may not continue to reside in a land of wrongdoing in which the righteous ancestors are reviled; God's earth is wide (cf. Q4:97).²⁴

It is curious that we have no views on forbidding wrong from the transmitters of the doctrine of Mālik in the late second/eighth and third/ninth centuries. This is in striking contrast to the abundance of their surviving views on legal points.²⁵

3. LATER MĀLIKĪ DOCTRINE

In the absence of any single mainstream doctrine of forbidding wrong among the later Mālikīs, this section will take the form of a survey of a rather disparate body of sources. First, I shall discuss two authors of the fifth/eleventh and early sixth/twelfth centuries who present what might be an Ash'arite doctrine of the duty. Second, I shall consider Koranic exegesis written by Mālikīs who lived from the sixth/twelfth to the ninth/fifteenth century. Third, I shall abstract some relevant material from the works of authors primarily concerned with the role of the censor (*muḥtasib*), i.e. the official supervision of morals and markets; these range in date from the third/ninth to the ninth/fifteenth century. Fourth, I shall examine an assemblage of commentaries of one sort or another, many of them late. I shall conclude with a discussion of monographs on forbidding wrong.

Despite a reference to a stray view of the eastern Mālikī Ash'arite Bāqillānī (d. 403/1013) on a point of detail,²⁶ it is only with Bājī (d. 474/1081), a major figure in the introduction of Ash'arism into Muslim Spain, that we can even begin to place our subject on the map. Unfortunately the works in which he might have set out a systematic doctrine of forbidding wrong do not survive;²⁷ we are thus reduced to using the rather skimpy doctrinal statements that he includes in his account of the duty in an ascetic work.²⁸ Some of what he has to say is not very different in

²⁴ Ibn Abī Zayd, *Jāmi'*, 156.6.

²⁵ Thus the treatment in a major law-book of the period of the testimony of poets, singers, professional mourners and those who play chess or backgammon reveals nuances in the Mālikī assessment of what is offensive about their practices; for example, Mālik holds that poets may give evidence provided they do not use their art for purposes of extortion (Sahnūn (d. 240/854), *Mudawwana*, Beirut n.d., 5:153.7; and cf. Ibn 'Abd al-Barr (d. 463/1071), *Kāfi*, Riyāḍ 1980, 895.12, 896.11, 898.9). But this does not touch on the question of what the individual Muslim is to do about these dubious characters.

²⁶ See above, ch. 13, note 5. ²⁷ Cf. Abū Bakr ibn Khayr, *Fabrāsa*, 255f.

²⁸ Bājī, *Sunan*, ff. 114a–116a (for this work, see above, note 10). It is only in a few places that Bājī speaks with his own voice; the bulk of the material consists of Koranic quotations, traditions and sayings of early figures. In a testament to his two sons, Bājī exhorts them to perform the duty, but without further elaboration (J. 'A. Hilāl, 'Muqaddimat waṣīyyat al-

texture from the sayings of Mālik: if one cannot take action against a wrong, one must avoid being present;²⁹ the sinner is not excluded from forbidding wrong, but the initiative of a virtuous person is more likely to be accepted;³⁰ one should do it nicely unless one knows in advance that the wrongdoer will be obstinate.³¹ But the outstanding feature of his account is an unmistakably scholastic analysis of the conditions. These he presents as a triad.³² Two are conditions for it to be permissible to proceed. The first is that the performer must be someone who knows right from wrong. The second is that it must be assured that his action will not bring about a wrong equal to or greater than the one he is acting against; suppose, for example, that were he to reprove a wine-bibber, this would lead to a situation in which he or someone else would be killed. If one of these two conditions is not satisfied, he may not proceed by tongue, but should do so in his heart.³³ If both conditions are satisfied, it is permissible to proceed, but not yet obligatory. What renders it obligatory is fulfilment of the third condition: that the performer should know or have good reason to believe that the wrongdoer will comply.³⁴ Given the historical role of Bājī in the spread of Ashʿarism and the scholastic character of this doctrine, it seems likely that he obtained it from an eastern Ashʿarite source. But we have no confirmation of this.³⁵

A later Andalusian author in the same tradition is the elder Ibn Rushd (d. 520/1126). Here again, he is not writing in a genre conducive to a full-dress doctrinal presentation.³⁶ It is, however, immediately clear that he is using the same three-condition schema as Bājī, though the wording is

Qāḍī Abī ʿl-Walīd al-Bājī li-waladayhiʿ, *Majallat al-Maʿhad al-Miṣrī*, 1 no. 3 (1955), 36.11, brought to my attention by Maribel Fierro). ²⁹ Bājī, *Sunan*, f. 115a.9.

³⁰ *Ibid.*, f. 115b.8. ³¹ *Ibid.*, f. 115b.12. ³² *Ibid.*, ff. 114b.15, 115a.12.

³³ This may perhaps represent the intrusion of an idiom used by Mālik (see above, note 12), since the term is not common in Shāfiʿite Ashʿarite sources (see above, ch. 13, notes 54, 68, 82).

³⁴ Bājī adds, however, that if he is not in danger (but has no expectation of success), he should manifest his condemnation to avoid any appearance of approval (*ibid.*, f. 115a.3).

³⁵ Cf. above, ch. 13, 351, for eastern parallels to Bājī's triad. The dichotomy between conditions of permissibility and obligation is paralleled in the doctrine of the Muʿtazilite Abū ʿl-Ḥusayn (see above, ch. 9, 222f.).

³⁶ The material is found in two contexts. One is the *Bayān*, in which he is commenting on the sayings of Mālik quoted in the *Mustakbraja*. The other is a work introductory to the *Mudawwana* (Ibn Rushd (d. 520/1126), *al-Muqaddamāt al-mumabhadāt*, ed. M. Ḥajjī and S. A. Aʿrāb, Beirut 1988, 3:425–8). However, this latter treatment is largely identical with that of the *Bayān*: apart from two passages, the whole section runs parallel to *Bayān*, 9:360–3. Much of the first passage which does not appear there is found *ibid.*, 17:84.9–16 (with transposition), leaving only a passage on rebuking one's parents (*Muqaddamāt*, 3:426.17–20, cf. Ibn Abī Zayd, *Jāmiʿ*, 157.5) unaccounted for in the *Bayān*. The second passage is a brief reference to the three modes (*Muqaddamāt*, 3:427.18). In what follows, I shall cite only the *Bayān*.

never close enough to suggest direct dependence.³⁷ Like Bājī, though again in different words, he endorses the view that it is not a condition for forbidding wrong that one be sinless (*ma'ṣūm*).³⁸

The rest of what Ibn Rushd has to offer is not found in Bājī's discussion. Prompted by Mālik,³⁹ he takes a favourable view of the performance of the duty at the ruler's command.⁴⁰ He states that only the authorities are able to deal with offences of the kind in question across the board (*jumlatan*). They have the duty to do so by appointing someone to see to it; it is commendable for such a person to respond to the imam's request if he knows that he is able to carry out the duty.⁴¹ One who is not called upon to assume an official role should take action against such offences as obtrude upon him, subject to the three conditions; but to go out of one's way in this regard is obligatory only for the imam, and commendable for others only when they have the power to do so (with effect).⁴² Unlike the three-condition schema, this has the look of an *ad hoc* response to the view of Mālik on which he is commenting.

Two views advanced by Ibn Rushd are more arresting. The first is his position that forbidding wrong is an individual duty (*farḍ 'alā 'l-a'yān*) provided the conditions are satisfied;⁴³ this is an unusual view, or at least an unusual way of putting things, particularly among Sunnīs.⁴⁴ The second is something he says in connection with Q5:105, with its suggestion that the believers should look to their own souls and ignore the misdeeds of others. Unremarkably, he refers this injunction to a time in which forbidding wrong will be ineffective.⁴⁵ He then observes how much his own day resembles such a time⁴⁶ – whereas under conditions in which a helper can be found to assist in the cause of justice, no one may remain silent in the face of offences, or neglect to take action against them.⁴⁷ What is striking here is the suggestion that the future in which the duty will lapse may

³⁷ Ibn Rushd, *Bayān*, 9:360.13, paraphrased *ibid.*, 17:84.21, and 18:37.15, 330.18. Cf. also above, note 9. Note that Ibn Rushd does not include Bājī's qualification (see above, note 34).

³⁸ *Ibid.*, 37.10, 330.10. He uses the term *ma'ṣūm* because he has just made the point that not even prophets are perfect. ³⁹ Cf. above, note 19. ⁴⁰ *Ibid.*, 9:361.12.

⁴¹ He quotes the injunction of Q5:2 to 'help one another to piety and godfearing'.

⁴² Similarly *ibid.*, 18:331.6, quoting Q22:41.

⁴³ *Ibid.*, 38.1, quoting two Koranic verses and a Prophetic tradition; also *ibid.*, 330.16. Cf. his remark that *al-amr bi'l-ma'rūf* is obligatory for every Muslim (*ibid.*, 9:360.13).

⁴⁴ For Imāmīs holding this view, see above, ch. 11, 274, 290; for a possible Mu'tazilite case, see above, ch. 9, note 33.

⁴⁵ *Ibid.*, 9:362.6, with citation of appropriate Prophetic traditions (for which see above, ch. 3, notes 40, 47). Compare Mālikī, *Ri'yāḍ*, 74.13, and Dabbāgh, *Ma'ālim*, 1:212.10, both commenting on an unusual Prophetic tradition.

⁴⁶ *Wa-mā ashbaha zamānanā bi-bādhā 'l-zamān*.

⁴⁷ Ibn Rushd, *Bayān*, 9:363.7.

already have arrived; this is a view found in tradition, but rare among later scholars.⁴⁸

Let us turn now to works of Koranic exegesis written by Mālikīs. Much of what they say is, of course, part of an exegetical tradition which is not specifically Mālikī. However, there are passages in which the exegetes stand back from the detailed exposition of the Koranic verses and give general accounts of the duty; these are more likely to represent school doctrine, and are thus worth examination here. Two of the works I shall draw on are straightforward Koran commentaries, namely those of the Andalusian Ibn ‘Aṭīyya (d. 541/1146) and the North African Tha‘ālibī (d. 873/1468f.).⁴⁹ Three proclaim in their titles that they belong to the genre of specifically legal Koran commentary, namely the works of the Andalusians Abū Bakr ibn al-‘Arabī (d. 543/1148), Qurṭubī (d. 671/1273) and Ibn al-Faras al-Gharnāṭī (d. 597/1201); we could reasonably expect these to contain a stronger dose of school doctrine than the general commentaries,⁵⁰ though this is by no means assured, and Qurṭubī’s commentary does not really belong to the genre.⁵¹

Much of what the exegetes have to say is banal. In contrast to the unusual formulation of Ibn Rushd, the duty is held to be a collective one⁵² – although according to Ibn al-‘Arabī it may become an individual one under some conditions.⁵³ A brief account that appears in several commentaries⁵⁴

⁴⁸ It makes no appearance in the systematic discussion of the verse in Ibn al-‘Arabī (d. 543/1148), *al-Nāsikh wa’l-mansūkh*, ed. ‘A. al-‘Alawī al-M’daghri, Morocco 1988, 2:204.14. For tradition, cf. above, ch. 3, 40–2.

⁴⁹ I leave aside that of Abū Hayyān al-Gharnāṭī (d. 745/1344), since despite his Andalusian origin he ended up as a non-Mālikī living in Egypt (for his *madhhab*, see Ibn Ḥajar, *Durar*, 4:304.11).

⁵⁰ For the genre of legal commentaries, typically entitled *Aḥkām al-Qur’ān*, see above, ch. 12, note 193. Ibn al-‘Arabī was not the first Mālikī author of such a work: for example, he was preceded by Ismā‘īl ibn Ishāq al-Jahḍamī (d. 282/896) (see Sezgin, *Geschichte*, 1:475f. no. 20), whose work was known to Ibn al-‘Arabī’s pupil Abū Bakr ibn Khayr al-Ishbīlī (d. 575/1179) (*Fahrassa*, 51.11) and survives in fragments (Muranyi, ‘Neue Materialien zur *tafsīr*-Forschung’, 252).

⁵¹ Thus one of these authors includes in his commentary to Q3:104 a brief discussion of the treatment of heretics (Ibn al-Faras al-Gharnāṭī (d. 597/1201), *Aḥkām al-Qur’ān*, fragment edited by M. I. Yahyā under the title *Tafsīr sūratay Āl ‘Imrān wa’l-Nisā’ min kitāb Aḥkām al-Qur’ān*, Miṣrātā 1989, 75.6); this is in fact a paraphrase of a passage in the *Aḥkām al-Qur’ān* of the Ḥanafī Jaṣṣās (d. 370/981) (see above, ch. 12, note 206).

⁵² Ibn ‘Aṭīyya, *Muharrar*, 3:187.16; Ibn al-‘Arabī, *Aḥkām*, 292.15; Qurṭubī, *Jāmi‘*, 4:165.14; Tha‘ālibī, *Jawāhir*, 1:355.7; Ibn al-Faras, *Aḥkām*, 74.5 (all to Q3:104).

⁵³ Ibn al-‘Arabī, *Aḥkām*, 292.17 (to Q3:104); and cf. *ibid.*, 406.6 (to Q4:25), where he describes individuals as God’s deputies in *al-amr bi’l-ma’rūf*, and his *‘Arida*, 9:13.16, where he states that the duty is incumbent on everyone.

⁵⁴ Ibn ‘Aṭīyya, *Muharrar*, 5:166.10; Qurṭubī, *Jāmi‘*, 6:253.17 (a summary, with attribution to Ibn ‘Aṭīyya); Tha‘ālibī, *Jawāhir*, 1:573.6 (unattributed, with one minor expansion of Ibn ‘Aṭīyya’s text) (all to Q5:79).

sums up the consensus of opinion on the duty as follows: forbidding wrong is obligatory for anyone who can sustain it, provided that he does it nicely, and that it will not cause harm to him or his fellow-believers; if for any of these reasons it is not feasible, he should perform the duty in his heart,⁵⁵ and avoid socialising with the offender; finally, according to expert opinion, it is not required that one who performs the duty should himself be free of sin⁵⁶ – rather it is for sinners to forbid each other. There is nothing in this to detain us.

There are, however, some more interesting points in these commentaries.⁵⁷ One is a disagreement regarding the extent to which fear of unpleasant consequences voids the duty. As Ibn al-‘Arabī says, there is no disagreement that when a man fears for his life, he ceases to be obligated; but there is disagreement on the question whether it is nevertheless commendable (*yustahabb*) to expose oneself to injury or death.⁵⁸ Elsewhere he observes that most scholars consider it permissible to do so in such a case if there is an expectation of success, whereas it would be pointless in the absence of such an expectation; his own view, however, is that if a man’s intention is pure, he should go ahead whatever the circumstances.⁵⁹ This is a notably strong view.⁶⁰ Qurṭubī in turn quotes the passage, and despite an initial reservation, he finds support in Q3:21, which refers to the killing of those who command justice (*alladhīna ya’murūna bi’l-qisṭi*).⁶¹ Likewise Ibn ‘Aṭīyya states that, while fear of unpleasant consequences voids the

⁵⁵ For this see also Ibn al-‘Arabī, *Aḥkām*, 293.3 (to Q3:104), and Ibn ‘Abd al-Barr (d. 463/1071) as quoted in Qurṭubī, *Jāmi‘*, 4:48.3 (to Q3:21). For the views of Ibn ‘Abd al-Barr on *al-amr bi’l-ma’rūf*, see also above, ch. 2, note 85.

⁵⁶ Similarly Ibn al-‘Arabī, *Aḥkām*, 266.11 (to Q3:21), 292.19 (to Q3:104) (contrasting this view with that of unspecified ‘innovators’ (*muḥtadī‘a*)); Qurṭubī, *Jāmi‘*, 4:47.18 (to Q3:21) (likewise referring to the ‘innovators’). The only scholar known to me who holds a contrary view is the Shāfi‘ite Ḥalīmī (d. 403/1012) (see above, ch. 13, notes 28f.).

⁵⁷ I leave aside a rare scholastic point raised by Ibn al-‘Arabī: is it all the same whether the offence is against divine or human rights? He says that he has seen no statement on the question by ‘our scholars’, and gives it as his own view that human rights take precedence (*Aḥkām*, 267.4, to Q3:21).

⁵⁸ Ibn al-‘Arabī, *Aḥkām*, 145.11 (to Q2:207); he suggests that Q2:207 supports the view that it is commendable. In another formulation of his, security of property as well as of person is a condition for obligation (*‘Ārīḍa*, 9:13.16).

⁵⁹ Ibn al-‘Arabī, *Aḥkām*, 266.21 (to Q3:21) (read *‘indī* for *‘indabu*, *ibid.*, 267.1, as in the citation of the passage at Qurṭubī, *Jāmi‘*, 4:48.18, likewise to Q3:21). For a refutation of the view that this is tantamount to suicide (cf. Q2:195), Ibn al-‘Arabī refers the reader to his *Sharḥ al-mushkilayn* (cf. also *Aḥkām*, 266.7), which does not appear to be extant.

⁶⁰ Ibn al-‘Arabī himself takes the opposite view in a passage in another work in which he gives it as his opinion that in forbidding wrong it is *not* permissible to take action that would lead to one’s death (Ibn al-‘Arabī (d. 543/1148), *al-Qabas fi sharḥ Muwaṭṭa’ Mālik ibn Anas*, ed. M. A. Walad Karīm, Beirut 1992, 583.3, this time referring us to a book of his on *uṣūl*; this passage was drawn to my attention by Etan Kohlberg).

⁶¹ Qurṭubī, *Jāmi‘*, 4:48.16. He also adduces Q31:17.

obligation, accepting such consequences secures one a greater reward.⁶² But their sober formulations hardly compare with Ibn al-ʿArabī's enthusiastic commendation of martyrdom.

Ibn al-ʿArabī is not, however, an activist, as is clear from his attitude towards the question of recourse to arms. He states that if there is no other way to perform the duty, one should leave off; recourse to arms is reserved to the ruler (*sulṭān*), since it could otherwise lead to sedition (*fitna*), and so to an evil greater than that which one is seeking to prevent.⁶³ Qurṭubī and Ibn al-Faras, by contrast, allow killing where necessary.⁶⁴

A final point of interest is the idea found among the exegetes that the content of forbidding wrong depends on one's position in the social and political hierarchy. Some of this is unremarkable. Thus Ibn ʿAṭīyya states that the duty is one imposed on the community in general (*bi'l-jumla*), but that beyond that point people differ in their obligations. Those in authority (*wulāt al-amr wa'l-ru'asā'*) are obligated in all circumstances; others are only obligated under certain conditions, of the kind already familiar.⁶⁵ In another passage, however, he says that people are on different levels (*marātib*) with regard to forbidding wrong. The duty of the scholars (*ʿulamā'*) is to instruct the rulers (*tanbīh al-hukkām wa'l-wulāt*) and ease them into the highroad of learning (*ḥamluhum ʿalā jāddat al-ʿilm*); that of the rulers is to take action against (*taghyīr*) evils through their strength and power; that of the rest – the lay subjects, we might say – is to bring matters to the attention of the authorities, after verbal protest. This, he adds, refers to an ongoing evil; if the ordinary believer sees an incidental misdeed (such as robbery or fornication), he should himself take such action as he can.⁶⁶ This position, however, involves a significant limitation of action on the part of ordinary believers. In yet another passage he goes a step further. Speaking of the scholars, he says that it is they who should perform the duty while the rest of the community follows them, since performance requires extensive learning.⁶⁷ These views are echoed by other commentators.⁶⁸ Thus Qurṭubī

⁶² Ibn ʿAṭīyya, *Muḥarrar*, 3:187.19 (to Q3:104).

⁶³ Ibn al-ʿArabī, *Aḥkām*, 293.8 (to Q3:104). He makes an exception for episodic crime: if one sees one man killing another, the only course of action may be armed intervention.

⁶⁴ See Qurṭubī, *Jāmiʿ*, 4:49.5 (to Q3:21), citing Q49:9; Ibn al-Faras, *Aḥkām*, 74.13 (to Q3:104). ⁶⁵ Ibn ʿAṭīyya, *Muḥarrar*, 8:286.13 (to Q9:112).

⁶⁶ *Ibid.*, 3:188.4 (to Q3:104).

⁶⁷ *Ibid.*, 186.18 (to Q3:104). It is not entirely clear that Ibn ʿAṭīyya himself endorses this view.

⁶⁸ Cf. Qurṭubī, *Jāmiʿ*, 4:165.12 (to Q3:104), where he states that those who command right must be scholars (*ʿulamā'*), and *ibid.*, 12:73.6 (to Q22:41), where he quotes a saying of the Ṣūfī Sahl ibn ʿAbdallāh al-Tustarī (d. 283/896) to the effect that it is not for ordinary people to command right to rulers or scholars. Thaʿālibī reproduces two of Ibn ʿAṭīyya's passages (*Jawābir*, 1:354.13, 355.9 (to Q3:104)).

quotes the saying about the tripartite division of labour.⁶⁹ And in another passage he states that forbidding wrong is not appropriate for everyone, and that only the ruler (*sultān*) should undertake it, since executive power is in his hands; he should appoint a righteous, strong, learned and trustworthy man in every town to see to it.⁷⁰ This latter passage is unlikely to be of Mālikī origin, since a fuller version is found in the work of the Shāfi'ite Ḥalīmī (d. 403/1012).⁷¹ Indeed the whole hierarchic theme seems to lack roots in the wider Mālikī tradition.

We can now move on to the writers on the official oversight of morals and markets.⁷² As might be expected, they do not in general have much to say about the individual duty. The earliest of them, the western Mālikī Yahyā ibn 'Umar (d. 289/902), offers no general discussion of forbidding wrong, but shows frequent concern for public morals. Thus he discusses such problems as nudity and the presence of women in public baths,⁷³ the mourning practices of women,⁷⁴ and their coquettish habit of wearing squeaky sandals.⁷⁵ There is, however, only one passage in which he seems to be concerned with the duty of the individual Muslim.⁷⁶ Here the bath-keeper has admitted women who have no reason to be there; do Muslim onlookers (*al-nāẓirūn al-Muslimūn*)⁷⁷ have the duty of raiding the establishment and expelling the women? Yahyā's answer is that in such a situation he (*sic*) should not burst in, but rather order the women to get dressed and veiled, and then to leave; (if they fail to heed the warning and offend again) he should punish them as he sees fit. This is a surprising prescription for a private citizen, and perhaps suggests that we should understand 'guardians' rather than 'onlookers'. Like Yahyā, most of the later writers on market regulation proceed to the official duty without any prior discussion of forbidding wrong.⁷⁸ There are, however,

⁶⁹ Qurṭubī, *Jāmi'*, 4:49.3 (to Q3:21); for this saying, see above, ch. 6, note 166.

⁷⁰ *Ibid.*, 47.13 (to Q3:21, quoting Q22:41).

⁷¹ Ḥalīmī, *Minhaj*, 3:216.17–21; see above, ch. 13, 342.

⁷² On market supervision in Muslim Spain in general, see Chalmers, *El 'señor del zoco'*.

⁷³ Yahyā ibn 'Umar (d. 289/902), *Aḥkām al-sūq*, in M. 'A. Makkī, 'Kitāb aḥkām al-sūq li-Yahyā ibn 'Umar al-Andalusī', *Revista del Instituto Egipcio de Estudios Islámicos en Madrid*, 4 (1956), 123f. §33. He does not use the term *muḥtasib*. ⁷⁴ *Ibid.*, 124f. §§34f.

⁷⁵ *Ibid.*, 126 §36.

⁷⁶ *Ibid.*, 142f. §56. Even in the context of the wedding-feast (*walīma*), which Yahyā treats at some length and with special reference to varieties of music-making, the duty of the individual to command and forbid is not discussed; the question is only whether he should be present (*ibid.*, 119–22 §31).

⁷⁷ E. García Gómez likewise translates this phrase as 'los musulmanes que lo ven' ('Unas "Ordenanzas del zoco" del siglo IX', *Al-Andalus*, 22 (1957), 307).

⁷⁸ Saqāṭī at the beginning of his treatise quotes a couple of the relevant Koranic verses (Q3:104, Q3:110), but proceeds to the official activity of the *muḥtasib* without discussing the individual duty (*Ādāb al-ḥisba*, ed. G.-S. Colin and E. Lévi-Provençal, Paris 1931, 2.2,

two interesting exceptions: the North Africans Ibn al-Munāṣif (d. 620/1223) and ‘Uqbānī (d. 871/1467).

It will be simplest to begin with ‘Uqbānī. He is, of course, primarily concerned with the duties of an appointed official, rather than with those of the individual Muslim – though it is not in fact always clear which he is discussing.⁷⁹ The opening chapters of his work nevertheless provide an unusually extensive account of the individual duty in which two things strike the eye.

The first is ‘Uqbānī’s debt to Ibn Rushd. He reproduces the latter’s three-condition schema,⁸⁰ and also his analysis of Q5:105 as referring to a time in which forbidding wrong can no longer be practised⁸¹ – with the obvious comment that, if the age of Ibn Rushd was such a time, how much more so must our own be.⁸² But Ibn Rushd’s coverage of the duty is too incomplete to fill out a work of the scope of ‘Uqbānī’s, and at the same time the latter makes no attempt to draw on the materials offered by the Mālikī Koran commentators.

Hence the second noteworthy feature of ‘Uqbānī’s treatment: the importation of Shāfi‘ite material from the east. The early chapters of the book make intensive use of a brief account of forbidding wrong in a minor work by Ghazzālī (d. 505/1111).⁸³ In particular, ‘Uqbānī depends on Ghazzālī for his account of the conditions under which fear of the consequences to oneself dispenses one from obligation – an aspect of the duty at best implicitly covered in the three-condition schema. He does, however, take issue with Ghazzālī’s view that in the face of such danger it is still meritorious to

3.12; the editors incline to date the treatise to the end of the fifth/eleventh century or the first half of the next century, *ibid.*, ix). Ibn ‘Abdūn does no more than mention *taghyīr al-munkar* in his introduction (E. Lévi-Provençal (ed.), *Trois traités hispaniques de ḥisba*, Cairo 1955, 3.4; he demonstrably belongs to the early Almoravid period, see E. Lévi-Provençal, ‘Un document sur la vie urbaine et les corps de métiers à Séville au début du XIIe siècle: le traité d’Ibn ‘Abdūn’, *Journal Asiatique*, 224 (1934), 180f.). Ibn ‘Abd al-Ra’ūf makes general reference to the duty only in his doxology (Lévi-Provençal, *Trois traités*, 69.3, 69.7). Jarsīfī, like Saqaṭī, proceeds directly to *ḥisba* (*ibid.*, 119.4; on the uncertain dates of the last two authors, see *ibid.*, v of the French preface).

⁷⁹ Starting from the discussion of the illegality of fines (‘Uqbānī, *Tuhfa*, 13.16), it is clear that his primary concern is with the official duty, though at times he still touches on the individual duty (see, for example, *ibid.*, 21.8). Most of what goes before can be taken to refer to the individual duty (or to the duty in general), though this only becomes explicit in a cross-reference near the end of the work (*ibid.*, 177.14).

⁸⁰ *Ibid.*, 4.17 (cf. above, note 37). He refers here to Ibn Rushd’s *Bayān*, and also to his *Muqaddamāt*; cf. ‘Uqbānī, *Tuhfa*, 141f. of the French section.

⁸¹ ‘Uqbānī, *Tuhfa*, 5.16 (cf. above, 364f.). ⁸² *Ibid.*, 6.3.

⁸³ See *ibid.*, 5.3, 6.9, 6.20, 8.7, corresponding to Ghazzālī (d. 505/1111), *Kitāb al-arba‘in fī uṣūl al-dīn*, Cairo 1344, 85.10, 86.9, 86.14, 88.15, respectively. ‘Uqbānī regarded Ghazzālī as one of the luminaries of his age (*Tuhfa*, 6.4), but does not seem to have had access to the *Ihya’*.

proceed, preferring the contrary view, which he extrapolates from Ibn Rushd's position;⁸⁴ he correctly notes that Ghazzālī's view was shared by 'Izz al-Dīn ibn 'Abd al-Salām (d. 660/1262), also a Shāfi'ite,⁸⁵ but makes no reference to Ibn al-'Arabī.⁸⁶ Towards the end of the work, 'Uqbānī borrows from another celebrated Shāfi'ite scholar, Māwardī (d. 450/1058), whom he quotes on the qualifications required of the censor,⁸⁷ and on the nine differences between the official and individual duties of forbidding wrong.⁸⁸

The bulk of 'Uqbānī's material, however, derives from his fellow-Mālikī Ibn al-Munāṣif.⁸⁹ In the latter part of his work, Ibn al-Munāṣif had covered much of the same ground, and for the most part 'Uqbānī simply appropriates his material through a process of paraphrase, accompanied by occasional rearrangement and a certain amount of omission and interpolation.⁹⁰ In the part of the work that concerns us, there is in fact only one passage where 'Uqbānī makes it his business to think for himself, namely that in which he disagrees with Ghazzālī.⁹¹ We can therefore set 'Uqbānī aside at this point and go back to Ibn al-Munāṣif.

What then is the origin of Ibn al-Munāṣif's material?⁹² As might be expected, it contains echoes of earlier Mālikī thought, though they are not particularly numerous. He cites only one opinion of Mālik himself in the passages that properly concern us, and he does so in a form he does not seem to owe to a Mālikī source.⁹³ He does not quote Ibn

⁸⁴ 'Uqbānī, *Tuhfa*, 6.12. ⁸⁵ Cf. above, ch. 13, note 104. ⁸⁶ Cf. above, 366.

⁸⁷ *Ibid.*, 177.13 = Māwardī, *al-Aḥkām al-sulṭāniyya*, 316.4.

⁸⁸ 'Uqbānī, *Tuhfa*, 178.1; see above, ch. 13, note 45. The rewriting of the first difference noted there is likely to reflect 'Uqbānī's loyalty to Ibn Rushd's doctrine of the individual, as opposed to collective, nature of *al-amr bi'l-ma'rūf* (cf. above, note 43).

⁸⁹ On Ibn al-Munāṣif see M. J. Viguera Molins, 'La censura de costumbres en el *Tanbīh al-ḥukkām* de Ibn al-Munāṣif (1168–1223)', in Instituto Hispano-Árabe de Cultura, *Actas de las II Jornadas de Cultura Árabe e Islámica* (1980), Madrid 1985, 591–3. 'Uqbānī's use of the *Tanbīh* was noted by Chenoufi (*apud* 'Uqbānī, *Tuhfa*, 142 of the French section), followed by Viguera Molins ('La censura de costumbres', 594).

⁹⁰ Broadly speaking, 'Uqbānī, *Tuhfa*, 3–13 corresponds to Ibn al-Munāṣif (d. 620/1223), *Tanbīh al-ḥukkām*, ed. 'A. Maṣṣūr, Tunis 1988, 309–23. More precisely, the correspondences are as follows: 3.3–12 and 4.3–17 = 309.3 to 311.4; 7.3 to 8.13 = 314.13 to 317.4; 8.13 to 9.17 = 311.8 to 313.14; 9.21 to 13.14 = 317.6 to 323.8. Most of the material in the *Tanbīh* thus reappears in the *Tuhfa*; the longest passage omitted is 314.3–10. The greater part of what 'Uqbānī adds is quotation: passages from Ibn Rushd and Ghazzālī, most of which have already been discussed; and additional *ḥadīths* and related material (as at *Tuhfa*, 3.12–23, 8.7–10, 10.19 to 11.4). Only once in these pages does 'Uqbānī make explicit reference to his predecessor's work, when he quotes an anecdote Ibn al-Munāṣif relates about one of his teachers (*Tuhfa*, 11.19, citing *Tanbīh*, 320.19). I am indebted to Maribel Fierro for drawing my attention to the *Tanbīh* and sending me a copy of the relevant part.

⁹¹ See above, note 84. The passage begins with a *qultu*.

⁹² Neither Ibn al-Munāṣif himself nor his modern editor has anything of value to say about his sources in their respective introductions (*ibid.*, 15, 20.3, 20.19).

⁹³ This is Mālik's citation and approval of a saying of Sa'īd ibn Jubayr (*ibid.*, 317.2; cf. above,

Rushd, though he is surely indebted to him, directly or indirectly, on two points of doctrine: the division of the conditions for performance of the duty into those that render it permissible and those that render it obligatory,⁹⁴ and a tilt towards the view that the duty is an individual one.⁹⁵ He does not seem to draw on Mālikī Koranic exegesis. Often I have not been able to establish whether Ibn al-Munāṣif was writing his own script, or whether he was following some earlier source, Mālikī or other. There is, however, one unmistakable linkage: though he does not quote Ghazzālī, he is heavily indebted to his *Revival of the religious sciences*.

This debt is immediately obvious from Ibn al-Munāṣif's use of the characteristic battery of technical terms devised by Ghazzālī for the analysis of the duty.⁹⁶ Closer examination of Ibn al-Munāṣif's account shows that with this terminology has come much of the structure of Ghazzālī's presentation. Three of its major structural components are easily recognised: the account of the conditions that the performer of the duty does and does not have to satisfy;⁹⁷ the escalatory schema of levels of response to offences;⁹⁸ and the survey of commonplace wrongs.⁹⁹ Yet the Ghazzālīan heritage in Ibn al-Munāṣif, though extensive, is heavily eroded. Basic structures of Ghazzālī's account are missing.¹⁰⁰ Within those that survive there is much

notes 20f.). The wording of Ibn al-Munāṣif's version (*wa-a'jaba Mālikan dhālika*) resembles that found in Ghazzālī, *Ihyā'*, 2:286.24.

⁹⁴ Ibn al-Munāṣif, *Tanbīh*, 314.16, 315.10; cf. above, notes 32, 37.

⁹⁵ His formulation is guarded: *al-qiyyām bi-taghyir al-munkar wājib muta'ayyin wa-fard muta'akkid fi ba'd al-aḥwāl* (*ibid.*, 310.3, whence 'Uqbānī, *Tuhfa*, 4.3, without the qualification; cf. also Ibn al-Munāṣif, *Tanbīh*, 310.7, 310.11, 315.12, 316.13, 332.2). For Ibn Rushd's view, see above, note 43. In neither of these cases is there any sign of literary borrowing.

⁹⁶ Ibn al-Munāṣif sets out the three basic categories (*uṣūl*) as *al-muḥtasib*, *naḥs al-iḥtisāb*, and *al-manākir al-muḥtasab fihā* (*ibid.*, 314.5). This leaves out one of Ghazzālī's four pillars (*arkān*), namely *al-muḥtasab 'alayhi*; but Ibn al-Munāṣif later uses the phrase (*ibid.*, 315.5). For Ghazzālī's terms, see below, ch. 16, 428f. 'Uqbānī prefers to drop this distinctive terminology when appropriating Ibn al-Munāṣif's material.

⁹⁷ *Ibid.*, 314.12; cf. below, ch. 16, 429–33.

⁹⁸ *Ibid.*, 320.10; cf. below, ch. 16, 431 and 438–41. Ibn al-Munāṣif's account owes the term *marātib* and the set of five levels to Ghazzālī's first sketch of his schema, but to some extent he appears to draw on Ghazzālī's fuller eight-level analysis when he expands on each level in turn; thus Ibn al-Munāṣif's account of his third level (*ibid.*, 322.1) contains an echo of the corresponding passage in Ghazzālī's fuller presentation (*Ihyā'*, 2:302.30, cf. below, ch. 16, 439f.). Cf. also Ibn al-Munāṣif, *Tanbīh*, 317.14, where Ghazzālī's initial five levels are condensed to three.

⁹⁹ *Ibid.*, 329–46; cf. below, ch. 16, 442–6. Ibn al-Munāṣif speaks of *al-manākir al-ma'lūfa* (*ibid.*, 330.2) and *al-manākir al-mu'tāda* (*ibid.*, 330.10), Ghazzālī of *al-munkarāt al-ma'lūfa fi 'l-'ādāt* (*Ihyā'*, 2:307.12).

¹⁰⁰ Thus Ibn al-Munāṣif's account lacks Ghazzālī's analysis (as opposed to survey) of wrongs (cf. below, ch. 16, 435–7), and omits consideration of one of Ghazzālī's favourite themes, namely rebuking rulers (cf. below, ch. 16, 446).

reshuffling, adding and dropping.¹⁰¹ And despite verbal echoes of Ghazzālī's text here and there,¹⁰² there is no sustained passage of Ibn al-Munāṣif which runs parallel to one of Ghazzālī's, even as a paraphrase. The extent of these changes goes far beyond anything that was required by the shift in focus from the individual to the official aspect of the duty.¹⁰³

From a historical point of view, this is perhaps unfortunate. Where an author depending on Ghazzālī is generally faithful to his source, any deliberate and substantive departure from it is likely to be significant. In the present case, such a relationship no longer obtains. There is, however, one point of some interest. In two places Ibn al-Munāṣif, following Ghazzālī, finds himself considering armed conflict and the gathering of bands as a limiting case of individual response to wrongdoing – the issue being whether such activity requires the permission of the ruler. In the first passage, Ghazzālī merely remarks that the issue needs looking into, and will be discussed later;¹⁰⁴ Ibn al-Munāṣif by contrast states unambiguously that the ruler's permission is required, except in emergencies.¹⁰⁵ In the second passage, Ghazzālī comes out in favour of the view that such undertakings are allowed even without the permission of the ruler;¹⁰⁶ Ibn al-Munāṣif follows suit, but then backs away with the observation that such matters are best referred to the authorities, again with the exception of emergencies.¹⁰⁷

Was Ibn al-Munāṣif's access to Ghazzālī's account of forbidding wrong direct or indirect? There is no way to be sure, but the degree of literary erosion that intervenes between the two texts rather suggests that it was indirect. One possibility is that the reshaping was the work of those who

¹⁰¹ Thus the order in which Ibn al-Munāṣif considers the conditions to be satisfied by the performer is different. In the survey of wrongs he transposes the sections on the market and the street, omits the sections on bath-houses and hospitality, and adds a section concerned with divorce (Ibn al-Munāṣif, *Tanbīh*, 334–7). The single most interesting change is perhaps the appearance in Ibn al-Munāṣif's survey of wrongs of a concern, quite absent from Ghazzālī, with the large numbers of people who simply fail to perform the ritual prayer at all (*ibid.*, 330.11, 331.20, 332.24, and cf. *ibid.*, 332.16, 332.19).

¹⁰² Compare, for example, *ibid.*, 314.16 with Ghazzālī, *Ihyā'*, 2:286.12 (on the ineligibility of the unbeliever to perform the duty); Ibn al-Munāṣif, *Tanbīh*, 315.21 (*li-izhār sha'ā'ir al-dīn*) with Ghazzālī, *Ihyā'*, 2:292.22 (*li-izhār sha'ā'ir al-Islām*; for the context, see below, ch. 16, 433 case (3)); Ibn al-Munāṣif, *Tanbīh*, 344.22 with Ghazzālī, *Ihyā'*, 2:310.10 (on the fraudulent reconditioning of old clothes; cf. below, ch. 16, 443). These examples could easily be multiplied; but at the same time, it would not be implausible to attribute any one of them to coincidence.

¹⁰³ For Ibn al-Munāṣif's repeated references to the duties of the authorities, which serve to make them the prime agents of the performance of the duty in his account, see, for example, *Tanbīh*, 310.15, 325.5 (and the rest of the section), 329.4, 329.15, 330.15, 331.7, 332.4, 332.13, 333.2, 336.10, 337.12, 338.3; for his distinctly less frequent references to individuals, see, for example, *ibid.*, 310.15, 330.15, 332.2.

¹⁰⁴ Ghazzālī, *Ihyā'*, 2:289.13; cf. below, ch. 16, note 28.

¹⁰⁵ Ibn al-Munāṣif, *Tanbīh*, 317.18.

¹⁰⁶ See below, ch. 16, 441.

¹⁰⁷ *Ibid.*, 323.3.

had previously adapted and abridged Ghazzālī's work. We know of at least three such efforts among the scholars of the Muslim west in this period.¹⁰⁸ A generation or two before Ibn al-Munāṣif, a certain Abū 'Alī al-Masālī (fl. second half of the sixth/twelfth century) wrote a work on the model of Ghazzālī's, and was known for this as 'Abū Ḥāmid al-Ṣaghīr'; the work was later described as widely available and popular.¹⁰⁹ A slightly earlier contemporary of his, Ibn al-Rammāma (d. 567/1172), made an epitome of Ghazzālī's work.¹¹⁰ Before this the well-known Andalusian scholar Ṭurṭūshī (d. 520/1126), who resided in Alexandria, had composed a work in which he is described as emulating (*yu'arīḍu bihi*) Ghazzālī's.¹¹¹ Another possibility is that Ibn al-Munāṣif was drawing on a tradition of earlier books of the same kind as his own. The truth might, of course, involve a combination of the two, and we have no way to reconstruct it.

The bulk of the Mālikī literature we have still to consider consists of commentaries of one sort or another. First, as in other schools, there is discussion of the 'three modes' tradition.¹¹² This may occur in the context of commentaries on one of the classical collections of traditions, that of Muslim (d. 261/875). The Mālikīs played a major role in the development of commentaries on this work;¹¹³ examples are those of 'Iyād (d. 544/1149), Aḥmad ibn 'Umar al-Qurṭubī (d. 656/1258), and Ubbī (d. 827/1423f.), all western Mālikīs. Alternatively, treatment of the 'three modes' tradition

¹⁰⁸ I leave aside the epitome of the *Iḥyā'* contained in ms. Madrid, Junta, no. 21 (in the library of the Consejo Superior de Investigaciones Científicas), since its coverage of the *kitāb al-amr bi'l-ma'rūf* retains none of Ghazzālī's analysis (ff. 68a–70a; for this manuscript, see J. Ribera and M. Asín, *Manuscritos árabes y aljamiados de la Biblioteca de la Junta*, Madrid 1912, 95–7 no. 21). I am indebted to Maribel Fierro for sending me a copy of the relevant part of the text, and for the information that it is probably a work of 'Alī ibn 'Abdallāh al-Khazrajī (d. 539/1145). I owe my knowledge of the existence of this manuscript to P. S. van Koningsveld.

¹⁰⁹ M. al-Manūnī, '*Iḥyā' 'ulūm al-dīn fī manzūr al-gharb al-Islāmī ayyām al-Murābiṭīn wa'l-Muwahḥidīn*', in *Abū Ḥāmid al-Ghazzālī: dirāsāt fī fikrihi wa-'aṣrihi wa-ta'thīrihi*, Rabat 1988, 133, citing Ghubrīnī (d. 704/1304f.), '*Unwān al-dirāya*', ed. 'A. Nuwayhid, Beirut 1969, 33.14, 34.3. Manūnī's article is by far the richest study of the fortunes of Ghazzālī's *Iḥyā'* in the west.

¹¹⁰ Manūnī, '*Iḥyā'*', 132f. Ibn al-Rammāma was *qāḍī* of Fez.

¹¹¹ The composition of this work was already noted by Goldziher from a biographical entry on Ṭurṭūshī (*Le livre de Mohammed ibn Toumert*, 37); see now the remarks of M. Fierro in her translation of Ṭurṭūshī's *al-Hawādith wa'l-bida'*, Madrid 1993, 73–5 no. 26, and the addenda, 177, citing Manūnī's article. Manūnī publishes extracts from the introduction to a work partially preserved in manuscript which answers to the description of Ṭurṭūshī's work ('*Iḥyā'*', 135–7, and see *ibid.*, 130; for *al-Nawawī* at 135.8, read *al-Thawrī*). It was Maribel Fierro who pointed out to me the possibility that Ṭurṭūshī's work might be a link between Ghazzālī's and Ibn al-Munāṣif's.

¹¹² For this tradition, see above, ch. 3, section 1.

¹¹³ See the listing of the earliest extant commentaries on the *Ṣaḥīḥ* of Muslim in Sezgin, *Geschichte*, 1:136f. The classic commentary is, however, that of Nawawī (d. 676/1277) (cf. above, ch. 13, 351–3).

may find its place in the familiar genre of commentaries on the collection of forty traditions put together by the Shāfiʿite Nawawī (d. 676/1277);¹¹⁴ I have used those of Tāj al-Dīn al-Fākihānī (d. 734/1334) and Shabrakhītī (d. 1106/1694f.), both Egyptian Mālikīs. Secondly, there are the commentaries on the law-book of Khalīl (d. 767/1365), who at one point mentions the duty as an instance of a collective obligation.¹¹⁵ Here I have made use of some half-a-dozen published commentaries, most of them Egyptian.¹¹⁶ Thirdly, the versified creed of the Egyptian Mālikī Ibrāhīm al-Laḡānī (d. 1041/1631) precipitated a tradition of commentary to which he and his son ʿAbd al-Salām (d. 1078/1668) were the first contributors. A widespread feature of all this literature, familiar from other schools, is its somewhat disintegrated character: often it seems that the commentator is simply putting together a patchwork of excerpts from earlier sources. This in turn makes it a rather unrewarding literature to discuss at length, and I shall accordingly confine myself to picking out a few significant themes.

The first is the relative weakness of the indigenous Mālikī tradition. There are few echoes in these commentaries of the oldest stratum of Mālikī literature on forbidding wrong;¹¹⁷ a rare exception is the commentary on Khalīl of the Andalusian Mawwāq (d. 897/1492), who adduces several views from Mālik.¹¹⁸ We hear more of the three-condition schema of Bājī and Ibn Rushd; though it has no roots in the original Mālikī heritage, it could be described as Mālikī by association.¹¹⁹ As a doctrinal complex, it proved a good survivor, and as such an exception to the rule. Outside the commentaries, we have already noted its adoption by ʿUqbānī;¹²⁰ to him we can add the well-known Egyptian scholars Qarāfī (d. 684/1285)¹²¹ and Ibn al-Ḥājī (d. 737/1336f.),¹²² together with Ibn Zakrī of Tlemsen

¹¹⁴ Cf. above, ch. 3, note 7.

¹¹⁵ Khalīl ibn Ishāq, *Mukhtaṣar*, 111.5. He has nothing of substance to say about it.

¹¹⁶ On these commentaries, see the introduction to I. Guidi and D. Santillana (trans.), *Il 'Muḥtaṣar' o Sommario del diritto malechita di Ḥalīl ibn Ishāq*, Milan 1919, 1:x.

¹¹⁷ Cf. above, note 93.

¹¹⁸ Mawwāq (d. 897/1492), *al-Tāj wa'l-iklīl*, in the margin of Ḥaṭṭāb (d. 954/1547), *Mawāhib al-jalīl*, Cairo 1328–9, 3:348.16 (these views are already familiar to us, see above, notes 11, 15, 22, 13 respectively). Mawwāq gives his main source as Ibn Yūnus (al-Ṣaḡalī) (d. 451/1059), for whom see Sezgin, *Geschichte*, 1:467, 471 no. 4. The third view, on rebuking one's parents, also appears in Laḡānī, *Hidāya*, f. 283a.4. Note also the saying of Mālik bearing on emigration quoted in Ubbī (d. 827/1423f.), *Ikmāl Ikmāl al-Mu'lim*, ed. M. S. Hāshim, Beirut 1994, 1:252.15 (cf. above, note 24).

¹¹⁹ For this schema, see above, notes 32, 37.

¹²⁰ See above, note 80, with explicit reference to the works of Ibn Rushd. For an echo in Ibn al-Munāṣif, see above, 94.

¹²¹ Qarāfī, *Furūq*, 4:255.18.

¹²² Ibn al-Ḥājī (d. 737/1336f.), *Madkhal*, Cairo 1929, 1:70.22, with explicit reference to Ibn Rushd's *Bayān*. He adds a fourth condition (*ibid.*, 71.12). For the genre to which the *Madkhal* belongs, see Fierro, 'The treatises against innovations (*kutub al-bida'*)', esp. 207–9. It is not the practice of the authors of these works to include general accounts of *al-amr bi'l-ma'rūf*; for the doctrine that might be extrapolated from the oldest of them,

(d. 900/1494f.).¹²³ Among the commentators on the ‘three modes’ tradition, the schema is included by Fākihānī,¹²⁴ and has an echo in Shabrakhītī.¹²⁵ It is the central and most stable element in the late Egyptian commentaries and supercommentaries on Khalīl,¹²⁶ though two of them remark that one of the conditions is logically redundant.¹²⁷ In their commentaries to Laqānī’s creed, both father and son adduce the schema.¹²⁸ From them it was inherited by the Shāfi‘ite Bājūrī (d. 1276/1860) in his commentary on Laqānī’s creed¹²⁹ – an unusual but not isolated instance of Mālikī material penetrating Shāfi‘ite scholarship.¹³⁰ The indications are that it is Ibn Rushd rather than Bājī who lies behind all this.¹³¹ From the relative success of this schema, we might be led to expect that the other distinctive feature of the doctrine of Ibn Rushd, his view that the duty is an individual and not a collective one, would have achieved a similar acceptance from Mālikī posterity. This, however, was not the case. Although Ibn Rushd’s prestige seems to have exerted some pull on later scholars,¹³² the

that of the Andalusian Ibn Waḥdāh (d. 287/900), see his *Bida‘*, 104f. of the editor’s introduction.

¹²³ He deploys the schema in a responsum directed against the destruction of the Jewish synagogues of Tuwāt undertaken by Maghīlī (d. 909/1503f.) (Wansharīṣī (d. 914/1508), *al-Mi‘yār al-mu‘rib*, ed. M. Ḥajjī *et al.*, Rabat 1981, 2:223.25). For the background to this controversy, see J. O. Hunwick, ‘Al-Ma[g]hīlī and the Jews of Tuwāt: the demise of a community’, *Studia Islamica*, 61 (1985); for Ibn Zakrī, see *ibid.*, 172.

¹²⁴ Fākihānī, *Manhaj*, f. 96a.19. The source is likely to be Ibn Rushd, since Fākihānī quotes him on performing the duty to one’s parents (*ibid.*, f. 96b.13; cf. above, note 36).

¹²⁵ Shabrakhītī (d. 1106/1694f.), *al-Futūḥāt al-wahbiyya bi-sharḥ al-Arba‘in al-Nawawiyya*, Cairo 1280, 477.12.

¹²⁶ ‘Abd al-Bāqī al-Zurqānī, *Sharḥ*, 3:108.17; Kharashī (d. 1101/1690), *Sharḥ*, Būlāq 1317–18, 3:109.21; Dardīr (d. 1201/1786), *al-Sharḥ al-kabīr*, Cairo 1292, 1:261.19; Ṣāwī (d. 1241/1825f.), *Bulghat al-sālik*, Cairo 1952, 1:355.21; Ṣāliḥ ‘Abd al-Samī‘ al-Ābī (fourteenth/twentieth century), *Jawābir al-iklīl*, Cairo n.d., 1:251.25. For a western commentary which includes the schema, but adds two further conditions, see Muḥammad al-Amīn ibn Aḥmad Zaydān al-Jakanī (d. c. 1325/1907), *Sharḥ*, ed. Ḥ. ‘A. M. Aḥmad Zaydān, Beirut 1993, 2:289.1 (this author is said by his grandson to have been much given to *al-amr bi’l-ma‘rūf*, *ibid.*, 1:14.15). The three-condition schema is the only element retained from the commentaries in Guidi and Santillana, *Il ‘Muḥtaṣar*, 1:386f. no. 6.

¹²⁷ Zurqānī, *Sharḥ*, 3:108.19; Dasūqī (d. 1230/1815), *Ḥāshiya*, Cairo n.d., 2:174.19 (*lā yakḥfū anna ḥann al-ifāda yastalzīm ‘adam al-ta’diya ilā munkar akbar minhu*).

¹²⁸ Ibrāhīm al-Laḳānī, *Hidāya*, ff. 281a.1, 281b.3, 282a.19, 282b.9 (with much interpolated material), citing Qarāfi; ‘Abd al-Salām ibn Ibrāhīm al-Laḳānī (d. 1078/1668), *Iḥāf al-murīd*, Cairo 1955, 262.8. In general, Mālikī creeds (like Sunnī creeds at large) tend not to refer to *al-amr bi’l-ma‘rūf*; for an exception which could be reckoned either Mālikī or Shāfi‘ite, see above, ch. 13, note 72.

¹²⁹ Bājūrī, *Tulḥa*, 203.1.

¹³⁰ For another example, see above, ch. 13, note 98.

¹³¹ See above, notes 120, 122, 124; likewise Bannānī (d. 1163/1750) in his comments on Zurqānī’s *Sharḥ* identifies the schema as Ibn Rushd’s (*Ḥāshiya*, in the margin of Zurqānī, *Sharḥ*, 3:108.12, with a reference to Ibn Rushd, *Bayān*, 9:360.13).

¹³² As we have seen, Ibn al-Munāsif tends to describe the duty as an individual one (see above, note 95), as does ‘Uqbānī (see above, notes 88 and 95). Cf. also Qarāfi, *Furūq*, 4:256.1, where no general statement is made on the question. Contrast the much stronger influence of Abū Ja‘far al-Ṭūsī (d. 460/1067) among his fellow-Imāmīs on this issue (see above, ch. 11, 274).

usual view among Mālikīs, as among others, is that forbidding wrong is a collective duty (though one that becomes individualised under certain conditions).¹³³

As might be expected, the weakness of the Mālikī tradition is also evident in the adoption of Shāfi'ite material – a dependence we have already noted in Ibn al-Munāṣif and 'Uqbānī.¹³⁴ Thus our commentators quote Māwardī (d. 450/1058),¹³⁵ Juwaynī (d. 478/1085),¹³⁶ Āmidī (d. 631/1233),¹³⁷ Subkī (d. 771/1370)¹³⁸ and Taftazānī (d. 793/1390).¹³⁹ But the Shāfi'ite on whom they draw most often is not, as one might have expected, Ghazzālī,¹⁴⁰ but rather Nawawī. Leaving aside the commentary of Ibn Daqīq al-Īd (d. 702/1302), who was both a Mālikī and a Shāfi'ite,¹⁴¹ the first Mālikī I have noted who is heavily dependent on Nawawī is Fākihānī; at one point he quotes and approves a purple passage by Nawawī on the decay of the duty.¹⁴² Ubbī in his exposition of the 'three modes' tradition draws considerably more material from Nawawī than he does from his fellow-Mālikī 'Iyād – for all that he presents his work as a revision of the latter's.¹⁴³

¹³³ For the Koranic exegetes, see above, notes 52f.; for Khalīl, see above, note 115; see also Aḥmad ibn 'Umar al-Qurṭubī (d. 656/1258), *Muṣṭhim*, Damascus and Beirut 1996, 1:233.17, 234.3; Fākihānī, *Manhaj*, f. 96a.1; Ubbī, *Ikmāl*, 1:251.16, paraphrasing Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:382.13; Ibrāhīm al-Laḡānī, *Hidāya*, f. 279a.11; 'Abd al-Salām al-Laḡānī, *Ithāf*, 261.18.

¹³⁴ See above, 369f., 371f., and cf. note 71. Dependence on the east had, of course, been a feature of the western receptions of both Mālikism and Ash'arism.

¹³⁵ Fākihānī, *Manhaj*, ff. 97a.11, 98a.23 (both through Nawawī); Shabrakhītī, *Futūḥāt*, 477.23 (from Nawawī?).

¹³⁶ Ubbī, *Ikmāl*, 1:253.7 (through Nawawī); Mawwāq, *Tāj*, 3:348.10 (a sequence of quotations from the *Irshād*, very likely direct); Ibrāhīm al-Laḡānī, *Hidāya*, ff. 280b.6, 281a.3 (perhaps largely but not entirely through Nawawī). For the early transmission of Juwaynī's *Irshād* in the Muslim west, see J. M. Fórneas, 'De la transmisión de algunas obras de tendencia aṣ'arī en al-Andalus', *Avrāq*, 1 (1978), 7f. no. 5a (I am indebted to Maribel Fierro for bringing this article to my attention and sending me a copy). There was a copy of the *Irshād* in the mosque library of Qayrawān in 693/1294 (see I. Shabbūh, 'Sijill qadīm li-maktabat jāmi' al-Qayrawān', *Majallat Ma'had al-Makhṭūṭāt al-'Arabiyya*, 2 (1956), 364 no. 93). For Juwaynī's account of *al-amr bi'l-ma'rūf*, see above, ch. 13, 345f.

¹³⁷ For Ibrāhīm al-Laḡānī's quotations from Āmidī, see above, ch. 13, note 81; he acknowledges that he has the first quotation noted there through the *Shāmil* of the western Mālikī Ibn 'Arafā (d. 803/1401) (for this work, cf. Brockelmann, *Geschichte*, supplementary volumes, 2:347).¹³⁸ Shabrakhītī, *Futūḥāt*, 479.16.

¹³⁹ Ibrāhīm al-Laḡānī, *Hidāya*, 279a.12, the first of many citations.

¹⁴⁰ Cf. above, 369f., 371f. Our commentators ignore him.

¹⁴¹ See above, ch. 13, notes 72, 108.

¹⁴² Fākihānī, *Manhaj*, f. 98b.9, quoting Nawawī, *Sharḥ*, 1:383.21. He includes a substantial quotation from 'Iyād which, ironically, he is likely to owe to Nawawī (Fākihānī, *Manhaj*, f. 98a.8, to be compared with Nawawī, *Sharḥ*, 1:385.6; the quotation begins and ends at exactly the same point in both sources).

¹⁴³ Ubbī, *Ikmāl*, 1:250.9–254.10 (where Ubbī marks the provenance of his material with appropriate sigla). The title *Ikmāl Ikmāl al-Mu'lim* places the work in the tradition of 'Iyād's *Ikmāl al-Mu'lim*.

The elder Laqānī likewise quotes Nawawī.¹⁴⁴ An anonymous but relatively recent Mauritanian epistle draws on Nawawī's purple passage.¹⁴⁵ That such material should flow between the two schools is not surprising; in addition to their shared Ash'arism, they were in continuing contact in Egypt. That the flow is overwhelmingly from the Shāfi'ites to the Mālikīs¹⁴⁶ is also not hard to explain: it reflects on the one hand the relative provinciality of the Mālikī west, and on the other the dominance of Shāfi'ism in the crucial Egyptian context.

Was anything of substance at stake in this process of easternisation? I have noted only two cases of clearcut doctrinal differences. The first is the question whether the duty is individual or collective. Here imported Shāfi'ite material may have helped to deny a future to Ibn Rushd's unusual view that the duty is primarily an individual one.¹⁴⁷ In this case, then, the imported views represented the mainstream of Islamic thought against a western anomaly. In the second case, the question was whether to maintain the efficacy condition; here the roles were reversed. According to Ibn Rushd's three-condition schema, prospective efficacy is a necessary condition for obligation,¹⁴⁸ as we have seen, this schema was rather successful in the west,¹⁴⁹ and at the same time its inclusion of the efficacy condition is standard doctrine. Nawawī, on the other hand, insisted that there was no such condition.¹⁵⁰ Nawawī's view appears in four of the Mālikī sources I have used: in all three of the commentaries on the 'three modes' tradition that postdate Nawawī's,¹⁵¹ and in the elder Laqānī's exposition of his own creed.¹⁵² But these authors do not show much awareness of the problem this

¹⁴⁴ Ibrāhīm al-Laqānī, *Hidāya*, ff. 279a.16, 279a.19, 280a.16, 283b.13, and cf. 282b.4.

¹⁴⁵ Anon., *Risāla fī 'l-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, Institut Mauritanien de Recherche Scientifique, Nouakchott, ms. 2,764, 9.10 (there is also a quotation from Ghazzālī at 9.19). For this manuscript, see C. Stewart *et al.*, *General catalogue of Arabic manuscripts at the Institut Mauritanien de Recherche Scientifique*, Urbana and Nouakchott 1992, 3:287 no. 2,565. The title is merely a cataloguer's description, though apt; the addressees are the Banū Daymān (as at 1.20; for this Berber-speaking scholarly lineage, see H. T. Norris, 'Muslim Sanhāja scholars of Mauritania', in J. R. Willis (ed.), *Studies in West African Islamic history*, vol. 1, London 1979, 147, 155f., 158f.). I am indebted to Maribel Fierro for sending me a copy from a microfiche in the library of the Instituto de Cooperación con el Mundo Árabe, Madrid. I have not been able to make out much of the text.

¹⁴⁶ For counter-examples, see above, note 130. Another instance is a quotation from a commentary on Muslim by an Andalusian which appears in two Shāfi'ite works (Ibn Farāh al-Ishbīlī, *Sharḥ al-Arba'īn*, f. 64a.18, and Ibn Hajar al-Haytamī, *Fath al-mubīn*, 248.21, both citing Ahmad al-Qurṭubī, *Mufhim*, 1:232.17). ¹⁴⁷ Cf. above, notes 132f.

¹⁴⁸ See above, 363f. (but note Bājī's qualification, above, note 34).

¹⁴⁹ See above, note 80 and 374f.

¹⁵⁰ See above, ch. 13, 352f. Compare the view of Mālik's cited above, note 11.

¹⁵¹ Fākihānī, *Manhaj*, f. 97b.8; Ubbī, *Ikmāl*, 1:252.12 (from Nawawī); Shabrakhītī, *Futūḥāt*, 480.20. ¹⁵² Ibrāhīm al-Laqānī, *Hidāya*, f. 282b.5 (quoting Nawawī).

poses. Fākihānī and Shabrakhītī simply include the two views at different points in their commentaries without noting the disagreement.¹⁵³ For Ubbī the issue does not arise, since he does not quote the three-condition schema; he does, however, indicate a commitment to Nawawī's position by adducing and refuting Zamakhsharī's contrary view.¹⁵⁴ Laqānī presents Nawawī's view within the framework of the three-condition schema, and seems not to distinguish it from weakened forms of the efficacy condition.¹⁵⁵

A final question worth raising about these commentators is the degree of activism they espouse. On the virtue of heroism they are divided. 'Iyād has no patience for heroism, and waxes polemical against those who think otherwise;¹⁵⁶ he perhaps has in mind his contemporary Ibn al-ʿArabī.¹⁵⁷ Qarāfī, on the other hand, strongly favours it.¹⁵⁸ With regard to recourse to arms, all the authors who discuss the issue insist that the matter be referred to the authorities;¹⁵⁹ here 'Iyād is in agreement with Ibn al-ʿArabī.¹⁶⁰ More than among the Shāfiʿites,¹⁶¹ the tripartite division of labour is occasionally mentioned with at least implicit approval.¹⁶² But Ibn al-Ḥājj points out that, while the saying may hold in general, there are many instances in which someone who is neither in authority nor a scholar may be obligated to take physical action.¹⁶³

The last genre we need to consider under the heading of Mālikī doctrine is the monographic treatment of the duty. The earliest such work I know of was by a certain Abū Ṭālib ʿUmar ibn al-Rabīʿ al-Khashshāb (d. 345/

¹⁵³ Fākihānī, *Manhaj*, ff. 96a.23, 97b.8; Shabrakhītī, *Futūḥāt*, 477.17, 480.20.

¹⁵⁴ Ubbī, *Ikmāl*, 1:252.13. The quotation from Zamakhsharī does not resemble the latter's statement of the efficacy condition in his commentary to Q3:104 (*Kashshāf*, 1:397.15).

¹⁵⁵ Contrast the Shāfiʿite Bājūrī, who in his commentary to Laqānī's creed underlines the disagreement (see above, ch. 13, note 111).

¹⁵⁶ 'Iyād, *Ikmāl*, f. 45a.27, 45b.6 (taking a stand against *man ra'ā 'l-inkār bi'l-taṣrīḥ bi-kull ḥāl wa-in qutla wa-nīla minhu kull adhā*), whence Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 1:385.12, 385.17, and Ubbī, *Ikmāl*, 1:252.24. ¹⁵⁷ See above, 366.

¹⁵⁸ Qarāfī, *Furūq*, 4:257.17; Ibrāhīm al-Laḳānī quotes from this passage (*Ḥidāya*, f. 281b.6). Ibn al-Ḥājj likewise permits heroism (*Madkhal*, 1:71.12).

¹⁵⁹ 'Iyād, *Ikmāl*, f. 45b.3, whence Aḥmad al-Qurṭubī, *Muḥim*, 1:234.5, Nawawī, *Sharḥ*, 1:385.15, and Ubbī, *Ikmāl*, 1:252.23; Shabrakhītī, *Futūḥāt*, 478.22.

¹⁶⁰ See above, 367.

¹⁶¹ See above, ch. 13, note 141, for my only Shāfiʿite example.

¹⁶² *Ibid.*, 482.5; 'Adawī (d. 1189/1775), *Hāshiya*, in the margins of Kharashī, *Sharḥ*, 3:110.5. A letter from the ruler of Bornu which was received in Cairo in 794/1391f. sets out the division of labour (Qalqashandī (d. 821/1418), *Ṣubḥ al-a'shā*, Cairo 1913–19, 8:118.12, translated in J. F. P. Hopkins and N. Levtzion, *Corpus of early Arabic sources for West African history*, Cambridge 1981, 348; I take the passages printed in parentheses to be the ruler's glosses on the text he is quoting). 'Abd al-Qādir al-Jazā'irī (d. 1300/1883) sets out the tripartite division of labour as if it were standard doctrine (*al-Mawāqif fī 'l-taṣawwuf wa'l-wa'z wa'l-irshād*, Damascus 1966–7, 294.6, 1284.26; I owe these references to Itzhak Weismann). 'Abd al-Qādir clearly thinks of the third mode as performance within the heart (*ibid.*, 294.12), whereas Shabrakhītī states that action by the heart involves the manifestation of disapproval (*Futūḥāt*, 481.4).

¹⁶³ Ibn al-Ḥājj, *Madkhal*, 1:70.18.

956f.); some seventeen passages from it are quoted by the Damascene Ḥanbalite Zayn al-Dīn al-Šālihī (d. 856/1452).¹⁶⁴ The author was an Egyptian and seems to have been a Mālikī, though I lack conclusive indications on the latter point.¹⁶⁵ The next known author of a monograph is the Toledan ascetic Abū Muḥammad ibn Dhunayn (d. 424/1032f.); himself a devotee of the duty, he composed a work (*diwān*) on it of which we have only the title.¹⁶⁶ Thereafter there is a gap until ‘Uthmān dan Fodio (d. 1232/1817), the founder of the Sokoto caliphate in what is now northern Nigeria; a pamphlet of his on the subject is extant, and though I have not seen it, its content is clearly doctrinal.¹⁶⁷ Of these works, the only one on which I have more to say is that of ‘Umar ibn al-Rabī’.¹⁶⁸

¹⁶⁴ Šālihī, *Kanz*, 131.16, 187.5, 188.5, 188.21, 206.13, 207.2, 222.22, 240.15, 250.9, 258.2 – probably resumed at 259.15 – 262.16, 560.16, 650.11, 674.19, 683.15, 837.25, and cf. 236.15, 733.17. The full form of the author’s name appears *ibid.*, 188.5, 650.11. In five of the passages (*ibid.*, 187.5, 222.22, 240.15, 258.2 (read *kitābihi*, as in ms. Fatih 1.136, f. 90a.8), 674.19) Šālihī uses the phrase *fī kitābihi al-Amr bi’l-ma’rūf (wa’l-nahy ‘an al-munkar)* to refer to the work; this establishes its monographic character and title. Was Šālihī’s access to it direct? His mention of a *bāb al-inkār ‘alā aṣṣḥāb al-malāhī* (*Kanz*, 262.17) is a weak indication that it was. It is usually but not always clear where the quotations end.

¹⁶⁵ My only significant source of biographical information on him is Ibn Ḥajar, *Lisān*, 4:304–6 no. 854. From this I take him to be Egyptian because he died in Egypt (*ibid.*, 306.1) and transmitted to the Egyptian Ḥasan ibn Ismā‘īl al-Ḍarrāb (d. 392/1002) (*ibid.*, 304.19; for Ibn al-Ḍarrāb, see Sezgin, *Geschichte*, 1:213 no. 262); and I take him to be Mālikī because of his appearance in two works on *gharā’ib Mālik* (Ibn Ḥajar, *Lisān*, 4:304.19, 305.3). Stray references given by Maqrīzī (d. 845/1442) confirm that he was Egyptian: he is described as *imām jāmi’ Miṣr* (*Muqaffā*, ed. M. Ya‘lāwī, Beirut 1991, 1:515.13), and a younger traditionalist heard from him in Egypt (*ibid.*, 6:274.11; I was put on the track of these references by Maribel Fierro).

¹⁶⁶ Ibn Bashkuwāl (d. 578/1183), *Šila*, ed. ‘I. al-‘Aṭṭār, Cairo 1955, 258.1 (giving the title as *Kitāb al-amr wa’l-nahy*), cited in Chalmeta, *El ‘señor del zoco*, 405 no. 50. On Ibn Dhunayn, see M. Marín, ‘Familias de ulemas en Toledo’, *Estudios onomástico-biográficos de al-Andalus*, vol. 5, Madrid 1992, 252.

¹⁶⁷ See B. Y. Muhammad and J. Hunwick, *Handlists of Islamic manuscripts: Nigeria*, section 1, *The Nigerian National Archives: Kaduna State*, vol. 1, London 1995, 75 no. 191 (drawn to my attention by Maribel Fierro); also J. O. Hunwick, *The writings of central Sudanic Africa* (= *Arabic literature of Africa*, vol. 2), Leiden 1995, 59 no. 2. The text as described by the cataloguers opens with the words: ‘As for the proofs of the obligatoriness of *al-amr bi’l-ma’rūf* . . .’

¹⁶⁸ I have not attempted to cover works that are exercises in performing the duty rather than expositions of it. Examples of such works are a pair of recent Mauritanian texts by Aḥmad al-Karīm ibn al-Mukhtār ibn Ziyād (writing c. 1398/1978) catalogued in U. Rebstock, *Sammlung arabischer Handschriften aus Mauretanien*, Wiesbaden 1989, 53 nos. 630f. (both in the possession of al-Mukhtār ibn Bābā al-Ḥājī, Dār al-Barka). The first, described as a *Risāla ṭawīla fī ‘l-baṭṭh ‘alā ‘l-ma’rūf wa’l-nahy ‘an al-munkar*, is much concerned about the twin wrongs committed by men who shave their beards and women who dress improperly. The second, described as a *Naẓm fī ‘l-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, is a verse treatment of such themes; it includes a section devoted specifically to *al-amr bi’l-ma’rūf* which, however, says nothing of interest (*Naẓm*, ff. 11a–12a; the work is followed in the manuscript by endorsements from other scholars, including one dated 1399/1979 and another dated 1400/1980, *ibid.*, ff. 15b.9, 18a.12). I am indebted to Frank Stewart for drawing my attention to these items, and to Ulrich Rebstock for sending me copies and supplying me with further information.

Ibn al-Rabīʿ's monograph may well have been a comprehensive treatment of the duty. Šāliḥī quotes him on a variety of topics. Thus in one passage he condemns any attempt to evade the obligation by misinterpreting scripture (*taʿwīl*); in another he avers that forbidding wrong carries a greater reward than holy war, since saving Muslims from sinning and going to hell is more meritorious than fighting the infidel.¹⁶⁹ But for whatever reason, the bulk of the material that Šāliḥī quotes from Ibn al-Rabīʿ is concentrated in a single area: the duty of ordinary Muslims with regard to commonplace wrongs as limited by the role of the authorities on the one hand and the claims of privacy on the other.¹⁷⁰ To begin with the authorities, punishment is for them alone to inflict.¹⁷¹ They also have a fairly extensive duty of raiding wrongdoers in their homes. This applies if the offenders are gathering to drink liquor, or selling it, or making music that is audible to the Muslims in their homes and streets – activities that amount to holding the faithful in contempt.¹⁷² But where the nuisance is confined to the wrongdoer's own abode, and no criminal offence against others is involved, the demands of privacy come first: the believer's home (*bayt al-muʾmin*) is then his castle (*ḥirz laḥu*).¹⁷³

Where does this leave the ordinary believers? In the first place, they have a duty of admonition (*waʿẓ*) which applies whether or not the wrongdoing is private. They should respond in this way whether the music is audible or inaudible,¹⁷⁴ whether the offence is open profanity in the streets¹⁷⁵ or something between the sinners and God.¹⁷⁶ In the second place, where admonition is insufficient, they have a duty to bring the wrongdoing to the notice of the authorities, provided the latter can be expected to act within

¹⁶⁹ Šāliḥī, *Kanz*, 131.16, 206.13. The second passage continues with an exposition of the idea that in *al-amr bi'l-ma'rūf* one man should be willing to take on two (cf. above, ch. 4, note 196). For the first theme, see also *ibid.*, 837.25 (for *al-sā'il* read *al-ta'wīl*, with ms. Berlin, Landberg 167, f. 150a.9). Other themes treated are the efficacy and danger conditions (*ibid.*, 650.11, with reference also to absence of helpers), and the duty of the weak to emigrate from lands in which they are unable to right manifest wrongs (*ibid.*, 683.15); God will not recognise weakness (*ḍa'f*) as an excuse for those who fail to do their duty (*ibid.*, 207.2).

¹⁷⁰ I leave aside a discussion of musical instruments in the hands of the *dhimmīs* (*ibid.*, 222.22), and another concerned with the object-specific grounds for breaking or not breaking musical instruments, wine-bottles and the like (*ibid.*, 258.2, 259.15). Here Ibn al-Rabīʿ makes the tart observation that the only known alternative use for musical instruments is as firewood (*ibid.*, 259.20); but he makes room for the tambourine in the usual fashion (*ibid.*, 258.3). ¹⁷¹ *Ibid.*, 188.14, 241.6, 262.24.

¹⁷² *Ibid.*, 188.10, 241.4, 262.21. The phrase *istikḥfāf bi'l-Muslimīn* appears *ibid.*, 241.8, 262.20.

¹⁷³ *Ibid.*, 188.18 (read *yahjūmū* for *yajma'ū*, with ms. Istanbul, Süleymaniye, Fatih 1, 136, f. 62a.6), 240.22. ¹⁷⁴ *Ibid.*, 262.18, 262.22.

¹⁷⁵ *Ibid.*, 188.21. There is no obligation to admonish if the man is not the kind who will listen. ¹⁷⁶ *Ibid.*, 188.18.

the bounds of the law.¹⁷⁷ This duty, however, is limited by the demands of privacy: it applies to drinking-parties, profanity in the streets, the sale of wine in homes and audible music,¹⁷⁸ but not where the offence is between the offenders and God.¹⁷⁹ Finally, there is the duty of ordinary believers to take direct action. This applies where they are unable to secure the attention of the authorities, and may thus have the duty of taking action to break up a liquor party, or raiding the homes of people making audible music.¹⁸⁰ They likewise have a duty to act in emergencies, raiding homes where rape or murder is about to be committed,¹⁸¹ answering calls for help against violence, and even killing the aggressor where necessary.¹⁸² But they also have a regular right or duty to take action in the markets and streets, be it against the sale of liquor,¹⁸³ or the carrying or sale of musical instruments.¹⁸⁴

There is nothing very unusual about the concerns of Ibn al-Rabīʿ as displayed in this limited corpus of material. But it does suggest that his book, which has no echoes in Mālikī literature, may have represented a more comprehensive and impressive account of the duty than any other we have considered in this chapter.

4. MĀLIKĪ PRACTICE

The Mālikī practice of forbidding wrong begins with Mālik himself in Medina. Most of what we are told about him concerns his relations with the authorities. Contrary to what one might have expected, the tone of the sources is not straightforwardly hagiographical. Within the school, of course, we hear only good news; yet even here, there is an undertone of embarrassment, as if the impression had to be avoided that Mālik mixed too often and too easily with those in power. There is a concern to show that Mālik made no concessions to the corrupting and intimidating ambience of the caliphal presence, and that in any case his visits were justified by the results. Mālik caught Hārūn al-Rashīd (r. 170–93/786–809) in the act of playing chess, and rebuked him to good effect.¹⁸⁵ His predecessor al-Manṣūr (r. 136–58/754–75) had asked Mālik to let him know of any

¹⁷⁷ *Ibid.*, 187.5, 188.6. ¹⁷⁸ *Ibid.*, 188.5, 188.21, 241.3, 262.18. ¹⁷⁹ *Ibid.*, 188.18.

¹⁸⁰ *Ibid.*, 188.8, 262.22. *A fortiori* they have the right or duty to act thus if the authorities order them to do so (*ibid.*, 188.12, 241.5, and cf. 560.16). ¹⁸¹ *Ibid.*, 188.15.

¹⁸² *Ibid.*, 250.10, 250.17. He speaks here of the duty of the Muslim community (*jamāʿat al-Muslimīn*, a term that also appears *ibid.*, 258.17).

¹⁸³ *Ibid.*, 241.7; cf. also *ibid.*, 258.18 (defective and corrupt, see ms. Fatih 1, 136, f. 90a.22), 259.15.

¹⁸⁴ *Ibid.*, 259.15; cf. also *ibid.*, 250.13, where no limitation to public places is mentioned or implied. ¹⁸⁵ ʿIyād, *Madārik*, 1:208.7.

undesirable actions on the part of his governors;¹⁸⁶ he was to forbid them wrong, and they were to comply.¹⁸⁷ Less grandiosely, Mālik protested that if he did not visit the authorities, not a single normative custom (*sunna*) of the Prophet would be put into practice in Medina.¹⁸⁸ And not to worry: he swore that whenever he went in to see someone in authority, it was God's habit to remove from his heart the awe that such figures inspire, and enable him to come out with the truth.¹⁸⁹

Thus far the Mālikī version. Outside the school, we encounter an image that is different, but not wholly unexpected. It takes the form of an unfavourable comparison between Mālik and the Medinese traditionist Ibn Abī Dhi'b (d. 159/775f.). In the presence of the authorities (*umarā'*), we are told, Ibn Abī Dhi'b would speak out, commanding and forbidding; meanwhile Mālik would say nothing.¹⁹⁰ With this we can compare Mālik's response to the question why he absented himself from the Friday prayer for twenty-five years: he feared that he might see some offence (*munkar*) and have to take action against it (*an ughayyirahu*).¹⁹¹ In sum, Mālik's record in commanding and forbidding was at best ambivalent.

Against this background, the practice of forbidding wrong in the next stage of Mālikī history is surprisingly robust. This is roughly the period from the late second/eighth to the early fourth/tenth century. The bulk of the evidence concerns scholars living in the cities of Ifrīqiya, above all Qayrawān; but I shall also include some material from other regions, particularly Spain and Egypt. The context is overwhelmingly urban: when the inhabitants of Toledo found the devotion of Ibn 'Ubayd (*fl.* first third of the fourth/tenth century) to the duty too much to bear, he retired to a village.¹⁹² It is unfortunate that this is a period for which we have little doctrinal treatment of the duty.

We can begin with the range of offences encountered in this literature. They are hardly exotic. The commonest have to do with music, whether the offenders actually make it¹⁹³ or merely carry around the means for

¹⁸⁶ *Ibid.*, 209.12. ¹⁸⁷ *Ibid.*, 209.19. ¹⁸⁸ *Ibid.*, 208.14 (reading *ākhiran* for *ākhar*).

¹⁸⁹ *Ibid.*, 208.12

¹⁹⁰ Ibn Ḥanbal, *ʿIlal*, 1:511 no. 1195, and Fasawī, *Ma'rifa*, 1:686.12, 686.17 (both sources cited in van Ess, *Theologie*, 2:684f.); also Khaṭīb, *Ta'rikh Baghdād*, 2:302.12, 302.16 (with haplography); Ibn Abī Ya'lā, *Ṭabaqāt*, 1:251.15, 251.18; Mizzi, *Tahdhīb*, 25:638.4, 638.9; Dhahabī, *Siyar*, 7:148.9. The direct or indirect authority for this material is Ibn Ḥanbal (d. 241/855). For Ibn Abī Dhi'b, see above, ch. 4, 56.

¹⁹¹ Dhahabī, *Siyar*, 8:66.16, from Abū Muṣ'ab (d. 242/857).

¹⁹² 'Iyād, *Madārik*, 4:458.2.

¹⁹³ Mālikī, *Riyād*, 381.16 (concerning Qayrawān in the period 261–75/875–88f.); *ibid.*, 393.7 (Sūsa in approximately the same period); 'Iyād, *Madārik*, 3:231.23 (Qayrawān in the mid-third/ninth century).

doing so.¹⁹⁴ Wine-drinking, surprisingly, is not prominent,¹⁹⁵ and other offences appear only sporadically: robbing a woodcutter of his wood,¹⁹⁶ doing something wrong at a funeral,¹⁹⁷ following a noisy and innovatory religious practice,¹⁹⁸ engaging in sexual misconduct,¹⁹⁹ abducting a girl.²⁰⁰ One scholar went so far as to upbraid another for failing to rebuke (*lā tunkir wa-lā tughayyir*) his brother, who had just come in from the countryside, and was talking endlessly in a religious circle about matters of rain and grain.²⁰¹ The contexts in which these offences are met with are usually implicitly or explicitly public;²⁰² this would apply even in a case where a passing scholar heard the noise of singing coming from a private house while on his way to the mosque.²⁰³ In two cases, both involving music, the scene is no less than the residence of the ruler.²⁰⁴

As to the manner of performing the duty, it is often verbal, as in the case of the polite insistence with which the passing scholar dealt with the singing he encountered on the way to the mosque. Indeed one anecdote equates forbidding wrong with preaching (*wa'ẓ*).²⁰⁵ But methods varied. While one scholar is said to have performed the duty nicely,²⁰⁶ another seized and smashed a lute or mandolin.²⁰⁷ Performance is normally by

¹⁹⁴ Abū 'l-'Arab al-Tamīmī (d. 333/945), *Ṭabaqāt 'ulamā' Ifrīqiya wa-Tūnis*, ed. 'A. al-Shābbī and N. H. al-Yāfi, Tunis 1968, 201.4 (= Mālikī, *Riyād*, 303.7) (first half of the third/ninth century); Khushanī (d. 361/971), *Quḍāt Qurṭuba*, ed. 'I. al-'Aṭṭār al-Ḥusaynī, n.p. 1372, 142.7 (later third/ninth century).

¹⁹⁵ It is mentioned alongside music-making as an offence that was unknown in Sūsa in the good old days, apparently up to the second half of the third/ninth century (Mālikī, *Riyād*, 394.6); and it appears in association with singing in a story of mid-third/ninth-century Qayrawān ('Iyād, *Madārik*, 3:232.3).

¹⁹⁶ Abū 'l-'Arab, *Ṭabaqāt*, 123.1 (mid-second/eighth century).

¹⁹⁷ Mālikī, *Riyād*, 276.2, and 'Iyād, *Madārik*, 2:599.10 (first half of the third/ninth century). The offence is not specified, but probably related to improper mourning.

¹⁹⁸ For Yahyā ibn 'Umar's unsuccessful reproof to certain silk-workers of Qayrawān in such a connection, see Mālikī, *Riyād*, 401.19. As pointed out to me by Maribel Fierro, Ṭurṭūshī quotes the passage from Mālikī with the addition of the remark that Yahyā was zealous (*shadīd*) in *al-amr bi'l-ma'rūf* (Ṭurṭūshī (d. 520/1126), *al-Hawādith wa'l-bida'*, ed. 'A. Turkī, Beirut 1990, 260 no. 231 = trans. Fierro, 315 no. 231).

¹⁹⁹ 'Iyād, *Madārik*, 3:360.19 (early fourth/tenth century).

²⁰⁰ Khushanī, *Quḍāt*, 108.3 (towards the middle of the third/ninth century).

²⁰¹ Abū 'l-'Arab, *Ṭabaqāt*, 127.9 = Mālikī, *Riyād*, 213.1 (mid-second/eighth century). The pietist in turn was rebuked, and accepted the rebuke.

²⁰² Cf. the explicit concern of the second/eighth-century scholar Rabāḥ ibn Yazīd with public offences (Abū 'l-'Arab, *Ṭabaqāt*, 123.5).

²⁰³ 'Iyād, *Madārik*, 3:231.23 (mid-third/ninth century).

²⁰⁴ The references are given above, in notes 194f. ²⁰⁵ *Ibid.*, 4:504.22.

²⁰⁶ Dabbāgh, *Ma'ālim*, 2:160.9, on Ibn Ṭālib (d. 275/888f.) (the phrase *layyin al-qawl* is not found in the parallel passages at Mālikī, *Riyād*, 376.12, and 'Iyād, *Madārik*, 3:195.14). Saḥnūn describes the second/eighth-century scholar Ibn Ashras as severe (*shadīd*) in performing the duty (Abū 'l-'Arab, *Ṭabaqāt*, 223.11; Mālikī, *Riyād*, 170.20; 'Iyād, *Madārik*, 1:329.18) – which suggests that he was not particularly nice about it.

²⁰⁷ Abū 'l-'Arab, *Ṭabaqāt*, 201.4; and his *Miḥan*, 467.5; Mālikī, *Riyād*, 303.7 (on Marwān ibn Abī Shāḥma, a contemporary of Saḥnūn).

solitary individuals, though this could prove problematic.²⁰⁸ However, one Egyptian scholar, ʿĪsā ibn al-Munkadir (d. after 215/830), had a group (*tāʾifa*) of companions who forbade wrong with him;²⁰⁹ likewise the Qayrawānī Ibn bint al-Mahdī (fl. early fifth/eleventh century) is said to have had such followers (*atbāʿ*).²¹⁰ Some scholars seem to have approached the duty fairly recklessly. One Ifrīqiyan would act the moment he saw an offence, without fear of anybody at all;²¹¹ an eastern Mālikī was killed by the Daylamites while performing the duty.²¹² Finally, the last resort of emigration is envisaged by the pietists of Sūsa as they seek to put an end to the music-making of their ruler.²¹³

What is striking about this material, at least in Ifrīqiya where it is richest, is how much of it concerns interaction between scholars and rulers. Here, in contrast to the doctrinal literature, the context in which we hear of forbidding wrong is most commonly that of confrontation with the authorities. Buhlūl ibn Rāshid (d. 183/799f.) took exception to an offence committed by some of the governor's men; they ripped his fur garment, but were afterwards officially punished for it.²¹⁴ His contemporary Rabāḥ ibn Yazīd stepped in when followers of the same governor were robbing a woodcutter; they set hands on Rabāḥ, and were in turn attacked by bystanders.²¹⁵ Marwān ibn Abī Shaḥma, a contemporary of Saḥnūn (d. 240/854), smashed a eunuch's lute or mandolin at court, and when upbraided by the ruler offered no apology.²¹⁶ Some seventy pietists of Sūsa, determined to

²⁰⁸ The Qayrawānī pietist Abū Maysara (d. 337/948f.) chanced on a woman who was letting a man have his way with her. He cried out and went for them, whereupon the man fled; the woman, however, embarrassed him by clinging to him and then claiming that he had tried to seduce her; she left him with the advice not to undertake such action (*lā tughayyir al-munkar*) unless he had someone with him (ʿIyād, *Madārik*, 3:360.19).

²⁰⁹ Kindī (d. 350/961), *Quḍāt*, in R. Guest (ed.), *The governors and judges of Egypt*, Leiden and London 1912, 440.2; ʿIyād, *Madārik*, 2:583.1. This association had begun before he became *qāḍī* in 212/827, but continued thereafter, with the result that he would interrupt his official duties to go off and take action against abominations reported by these associates. In another connection, his associates are described as ascetics (*sūfiyya*, Kindī, *Quḍāt*, 440.15), a circumstance which seems to have disturbed ʿAbdallāh ibn ʿAbd al-Ḥakam (d. 214/829), who sent one of his sons to command and forbid Ibn al-Munkadir over conduct that was causing wide concern; but these efforts were brushed aside by the latter (ʿIyād, *Madārik*, 2:583.13). Another Egyptian of this period, Ashhab ibn ʿAbd al-ʿAzīz (d. 204/820), is described by Saḥnūn as most assiduous in performing the duty (*āmaruhum bi'l-ma'rūf*), but without further details (*ibid.*, 449.8).

²¹⁰ *Ibid.*, 4:769.17.

²¹¹ Mālikī, *Riyāḍ*, 239.17, on Ismāʿīl ibn Rabāḥ al-Jazarī (d. 212/827f.).

²¹² Abū Ishāq al-Shīrāzī, *Ṭabaqāt al-fuqahāʾ*, 140.1, on Ishāq ibn Aḥmad al-Rāzī (d. 335/986) (but cf. the parallel text in ʿIyād, *Madārik*, 4:473.13). I owe this reference to Nurit Tsafir.

²¹³ Mālikī, *Riyāḍ*, 393.10, 394.3; cf. above, note 24, and Abū ʿl-ʿArab, *Ṭabaqāt*, 123.7.

²¹⁴ *Ibid.*, 118.6. ²¹⁵ *Ibid.*, 123.1.

²¹⁶ *Ibid.*, 201.2; and his *Miḥan*, 467.5; Mālikī, *Riyāḍ*, 303.6.

put an end to their ruler's music-making, proceeded to his residence, filled the courtyard, and demanded entry; the ruler capitulated to their wishes.²¹⁷ In the same vein it is often observed that this scholar or that was not in fear of the ruler.²¹⁸ Not surprisingly, such conduct was regarded as dangerous. Ḥamdīs al-Qaṭṭān, a companion of Saḥnūn, was asked whether he would command and forbid a ruler who sinned; his answer was negative.²¹⁹ On the other hand, it is clear that rulers knew the part they were supposed to play in these little dramas. Members of the Aghlabid family, which ruled Ifrīqiya from 184/800 to 296/909, used to visit the blind Abū Muḥammad al-Anṣārī to derive blessing from him. But on one occasion the saint refused to admit Ziyādat Allāh I (r. 201–23/817–38) and his retinue. The enraged ruler responded: 'Listen you, we've come to you so you can command us right, and we then hasten to do it, and forbid us wrong, and we then restrain ourselves from it. But [instead] you've humiliated me and kept me out here, me, your ruler!' His protest was of course in vain, and after further slights he departed, full of appreciation for the saint.²²⁰

There are even a couple of cases in Ifrīqiya of scholars who associated forbidding wrong with rebellion against unjust rule. One was Ibn Farrūkh (d. 175/791). He at one stage took the view that rebellion against unjust rulers (*a'immat al-jawr*) was appropriate when as many men were gathered together forbidding wrong as were present at the Battle of Badr (2/624); but he later changed his mind. His own attempt at revolt fizzled out when only two men showed up to join him at the appointed place.²²¹ But Ibn Farrūkh, though adopted into the Mālikī biographical tradition, was a Persian Ḥanafī.²²² A later figure reported to have held such views is

²¹⁷ *Ibid.*, 393.7.

²¹⁸ Thus a Mālikī source recollects that the Successor Sa'd ibn Mas'ūd al-Tujībī, sent to Ifrīqiya by 'Umar ibn 'Abd al-'Azīz, was *qalīl al-hayba lil-mulūk fī haqq yaqūlūhu* (Mālikī, *Ri'yād*, 66.16). Similar things are said of others: Ibn Farrūkh (d. 175/791) (*ibid.*, 113.15; Dabbāgh, *Ma'ālim*, 1:238.11); 'Abd al-Khālīq al-Qaṭṭāt, a companion of Buhlūl (Mālikī, *Ri'yād*, 232.4); Ibn Abī Ḥassān al-Yaḥṣubī (d. 227/841f.) ('Iyād, *Madārik*, 2:482.11); Saḥnūn (Abū 'l-'Arab, *Ṭabaqāt*, 184.10; Mālikī, *Ri'yād*, 249.9, 279.1; 'Iyād, *Madārik*, 2:602.15); and Ibn Ṭālib (Mālikī, *Ri'yād*, 376.9).

²¹⁹ *Ibid.*, 395.3. He quotes the Prophetic tradition that a believer should not court humiliation (see above, ch. 3, note 53), and a saying of Mālik cited above, note 16. On the other hand, he believes in *jihād* against a ruler who seeks to impose heresy (*bid'a*) (*ibid.*, 395.7).

²²⁰ *Ibid.*, 318.5.

²²¹ 'Iyād, *Madārik*, 1:346.7 (I owe this reference to Nurit Tsafir). Other sources, however, omit the reference to *al-amr bi'l-ma'rūf* (Abū 'l-'Arab, *Ṭabaqāt*, 108.11, 109.1; Mālikī, *Ri'yād*, 118.3; Dabbāgh, *Ma'ālim*, 1:247.10; Dhahabī, *Ta'rikh al-Islām*, years 171–80, 215.7, 215.17). Reference to the number of men present at the Battle of Badr in the context of righteous rebellion is more familiar as a Shī'ite idea (see Madelung, *Qāsim*, 91f.; al-Shaykh al-Mufid (d. 413/1022), *al-Risāla al-thālitha fī 'l-ghayba*, in his *ʿIddat rasā'il*, Qumm n.d., 390.2).

²²² 'Iyād, *Madārik*, 1:346.16; Ibn Abī 'l-Wafā', *Jawāhir*, 1:279f. no. 245.

‘Abdallāh ibn Muḥammad ibn al-Ashajj (d. 286/899f.); he too seems to have been a Ḥanafī. Summoned before the Aghlabid Ibrāhīm II (r. 261–89/875–902), he explained that he believed in rebellion against unjust rulers given the support of the number of men present at Badr and agreement on an imam; but he did not, he said, hold with righting wrongs by committing worse ones (*taghyīr al-munkar bi-ashadd minhu*).²²³

At the other end of the spectrum, I have not noted any instance of formal cooperation with the authorities in the manner approved by Mālīk.²²⁴ The only arguable exception would be the role of Ibn Ṭālib (d. 275/888f.) in Qayrawān. The responsibilities placed upon this scholar by Ibrāhīm II included banishing public immorality from the city, and his impact on the musical life of its inhabitants is said to have been considerable.²²⁵ He was, however, judge of Qayrawān. A negative attitude towards involving the state is enshrined in an anecdote about Muḥammad ibn Waḍḍāh (d. 287/900), another figure adopted by the Mālīkī biographers. He suffered from a neighbour who used to drink and sing, and considered putting the matter into the hands of the authorities; but he changed his mind on recollecting that in a similar case Saḥnūn had taken no such action.²²⁶

When we move on to later centuries, we enter a period marked by some significant changes in the geography of the Mālīkī law-school. In the north, Spain and its rich urban environments were gradually lost to the Mālīkīs, as they were to Islam at large. When Yçe de Chebir of Segovia, writing his ‘Brebiario çunni’ in Castillian in AD 1462, instructs Muslims to ‘stand in the way of those who are disobeying the law or normative custom (*sunna*), because those who commit the sin and those who stand by and do nothing are equal in sin’,²²⁷ it is no longer entirely clear that what he has in mind is precisely forbidding wrong. In the south, the large-scale expansion of Mālīkī Islam across the Sahara brought it into contact and confrontation with a very different milieu. Just how exotic this could be is indicated by a

²²³ Dabbāgh, *Ma’ālim*, 2:232.6 (I owe this reference to Nurit Tsafir). For his Ḥanafī affiliation, see M. Ben Cheneb, *Classes des savants de l’Ifriqiya*, Beirut n.d., 193.14.

²²⁴ See above, 361.

²²⁵ Mālīkī, *Riyāḍ*, 381.15; ‘Iyād, *Madārik*, 3:205.12. We are told that Saḥnūn was the first *qāḍī* to give attention to *ḥisba* (in Ifriqiya), and to order people to take action against offences (Mālīkī, *Riyāḍ*, 276.19, and cf. *ibid.*, 279.8; ‘Iyād, *Madārik*, 2:600.6).

²²⁶ *Ibid.*, 617.8 (cited from manuscript in M. Talbi, ‘Kairouan et le malikisme espagnol’, in *Etudes d’orientalisme dédiées à la mémoire de Lévi-Provençal*, Paris 1962, 328, which in turn was brought to my attention by Maribel Fierro).

²²⁷ ‘Estorba á los desobedeçedores da la Ley ó Çunna, que hazedores y consentidores yguales son en el peccado’ (Yçe de Chebir (writing AD 1462), ‘Brebiario çunni’, in *Memorial histórico español*, published by the Real Academia de la Historia, vol. 5, Madrid 1853, 252.15, translated in L. P. Harvey, *Islamic Spain 1250–1500*, Chicago and London 1990, 90.

problem regarding the customs of the town of Jenne brought to the notice of the North African jurist Maghīlī (d. 909/1503f.) by the ruler of Songhay: 'All the most beautiful girls walk naked among people with no covering at all.'²²⁸ But the most important development is perhaps one that took place within North Africa itself: the extension of the Mālikī horizon to include the tribal hinterlands. Their religiosity, with its heady combination of Ṣūfism and tribal politics, stands in marked contrast to the urban scholarly milieu with which we have been concerned so far.²²⁹

In the traditional urban milieu, the practice of the duty doubtless continued in the old way, though the documentation I have seen is less rich than for early Ifrīqiya. We have already encountered the devotion of the Toledan Ibn 'Ubayd to forbidding wrong.²³⁰ Likewise one reason for the troubles Abū 'Umar al-Ṭalamankī (d. 429/1038) brought upon himself towards the end of his life is said to have been his harsh and ill-natured way of going about the duty (*inkār al-munkar*).²³¹ A late source says that the well-known scholar Abū 'Imrān al-Fāsī (d. 430/1039) was expelled from Fez by those in power there for forbidding wrong.²³² Ibn al-Zubayr (d. 708/1308) of Jaén is described as undertaking the duty; mention is made of his zeal against heretics and his confrontations (*waqā'i'*) with rulers.²³³ Ibn Qunfudh (d. 810/1407f.) describes the efforts of a pious man he met in Fez in righting wrongs (*taghyīr al-munkar*), and the support he enjoyed in this at all levels of society.²³⁴ In 871/1466 the preacher (*khaṭīb*) of a mosque in Oran was replaced because of something the ruler heard that he

²²⁸ J. O. Hunwick (ed. and trans.), *Shari'ā in Songhay: the replies of al-Maghīlī to the questions of Askia al-Hājj Muḥammad*, Oxford 1985, 40.10 = 90. Maghīlī characterises this custom as *munkar min akbar al-manākir* (*ibid.*, 46.6 = 95). While he clearly regards this and other offences as primarily a matter for the authorities, he also states that every believer who is able to do so has a duty to act (*an yughayyir tilka 'l-manākir*, *ibid.*, 41.5 = 90).

²²⁹ As will be seen, the following paragraphs draw extensively on the body of material assembled and analysed in M. García-Arenal, 'La práctica del precepto de *al-amr bi-l-ma'rūf wa-l-nahy 'an al-munkar* en la hagiografía magrebī', *Al-Qanṭara*, 13 (1992).

²³⁰ See above, note 192; also García-Arenal, 'Práctica', 147. For an earlier Toledan devotee, Dāwūd ibn Hudhayl (d. 315/927f.), see Khushanī (d. 361/971), *Akhbār al-fuqahā' wa'l-muḥaddithīn*, ed. M. L. Ávila and L. Molina, Madrid 1992, 89.4 (brought to my attention by Maribel Fierro).

²³¹ See M. I. Fierro, 'El proceso contra Abū 'Umar al-Ṭalamankī a través de su vida y de su obra', *Sharq al-Andalus*, 9 (1992), 118 (and cf. 124), citing phrases from Dhahabī, *Sīyar*, 17:568.13, and his *Tadhkira*, 1099.17.

²³² Ibn al-Aḥmar (d. 807/1404f.), *Buyūtāt Fās al-kubrā*, Rabat 1972, 44.19, cited in García-Arenal, 'Práctica', 148.

²³³ Ibn Ḥajar, *Durar*, 1:86.3, cited indirectly in Chalmeta, *El 'señor del zoco'*, 487. I leave aside two further cases mentioned by Chalmeta, since both are *qāḍīs* (*ibid.*, 486 nos. 74f.).

²³⁴ Ibn Qunfudh al-Qusanṭīnī (d. 810/1407f.), *Uns al-faḡīr*, ed. M. al-Fāsī and A. Faure, Rabat 1965, 79.3 (on Abū 'Alī al-Rajrājī). Ibn Qunfudh left Morocco in 777/1375f. or 778/1376f., and wrote in 787/1385f. (see the editors' French introduction, vi, viii).

had said by way of forbidding wrong.²³⁵ The familiar theme of confrontation with political power is present in three of these instances; but in no case is confronting power an attempt to appropriate it.

The same is broadly true for the motley collection of tenth/sixteenth-century scholars and saints treated by Ibn ‘Askar (d. 986/1578), a biographer whose interests are centred in the Moroccan Rif.²³⁶ He remarks on the performance of the duty by eight of his subjects, usually describing them as unyielding (*shadīd al-shakīma*) in it, but offering little in the way of further detail.²³⁷ Some of these are first and foremost Ṣūfis,²³⁸ and some have tribal backgrounds.²³⁹ None of them are manifestly contenders for political power. Indeed one responded to the prevalence of wrong by migrating with his family to Medina.²⁴⁰ Another would speak harshly to rulers when rebuking them, but seems to have been more interested in his vast supernatural following.²⁴¹ A third was a mentor of the founders of the Sa‘dian dynasty (r. 916–1069/1510–1659), but not apparently a political actor in his own right.²⁴² What is perhaps significant, however, is a sense that even if they were not aspiring politicians, they could have been. We are told of one Ṣūfī, who would speak out against unjust rule, that the rulers feared possible subversion on the part of his followers and family – though this was not until after his death.²⁴³ The scholars of Fez were able to undermine the position of Maghīlī with their ruler by telling him that Maghīlī’s real aim was political power, not forbidding wrong.²⁴⁴ None of this suggests any confusion in principle between forbidding wrong and subversion; but the last example does hint at some blurring in practice.

There are in fact many instances in the history of the Muslim west of forbidding wrong as part of the repertoire of those who made it their business to subvert or create states. We have already encountered the views and abortive practice of Ibn Farrūkh.²⁴⁵ The Andalusian rebel Ibn al-Qiṭṭ used the slogan of forbidding wrong when he launched his rebellion in

²³⁵ R. Brunschvig, *Deux récits de voyage inédits en Afrique du Nord au XVe siècle*, Paris 1936, 65.14 = 133, cited in Chalmeta, *El ‘señor del zoco*, 630.

²³⁶ Ibn ‘Askar (d. 986/1578), *Dawḥat al-nāshir*, ed. M. Ḥajjī, Rabat 1976. Most of the relevant material from this work is cited in García-Arenal, ‘Práctica’, 158–60. The work is in striking contrast to the earlier collection of biographies of Ṣūfis composed by Ibn al-Zayyāt (d. c. 628/1230) (*al-Tashawwuf ilā rijāl al-taṣawwuf*, ed. A. al-Tawfiq, Rabat 1984); here I have not noted a single Ṣūfī credited with performing the duty (though on the day of his death one of them upbraided his contemporaries for failing to do so, *ibid.*, 428.9).

²³⁷ Ibn ‘Askar, *Dawḥa*, 8.4, 14.24, 63.5, 88.5, 97.31, 102.3, 103.2, 130.17 (nos. 3, 4, 49, 80, 94, 99, 100, 132). ²³⁸ Nos. 3, 94, 99. ²³⁹ Nos. 3, 49, 94. No. 49.

²⁴¹ No. 99. He had over seventy thousand followers among the *jinn* (*ibid.*, 102.11).

²⁴² No. 80. ²⁴³ No. 100. ²⁴⁴ *Ibid.*, 131.15 (no. 132). ²⁴⁵ See above, 385.

288/901.²⁴⁶ A more typical case is that of Abū Rakwa (d. 397/1007), the Andalusian pretender who raised the Banū Qurra of Cyrenaica against the Fāṭimids. While insinuating himself into the affections of this tribe, he practised asceticism, taught their children the Koran, and engaged in the reform of morals (*taghyīr al-munkar*).²⁴⁷ Here the performance of the duty is not in itself an act of subversion or state formation, but it leads to it. We find the same pattern, attended with much greater eventual success, in the case of Ibn Yāsīn (d. 450/1058f.) and the establishment of the Almoravid dynasty (r. 454–541/1062–1147),²⁴⁸ in the case of Ibn Tūmart (d. 524/1130) and the establishment of the Almohad dynasty (r. 524–668/1130–1269),²⁴⁹ and in the case of Muḥammad al-Mahdī (d. 923/1517) and the establishment of the Saʿdian dynasty.²⁵⁰ The Saʿdians in turn were challenged by the rebel Abū Maḥallī (d. 1022/1613).²⁵¹ A hostile anecdote about his youth recounts that he and his coeval Maḥammad ibn Abī Bakr al-Dilāʾī (d. 1046/1636) once spent the day in contrasting pursuits: Abū Maḥallī in fractious and fruitless attempts to forbid wrong, and Ibn Abī Bakr in washing his clothes, saying his prayers and the like.²⁵² It was, of course, Abū Maḥallī who developed the pretensions to temporal power that led to his early death, whereas Ibn Abī Bakr lived to a ripe old age as the head of a major centre of religious culture in Dilāʾ.²⁵³ Muḥammad al-Tāhartī, who had messianic pretensions and a significant tribal following in south-western Morocco in the later 1030s/1620s,²⁵⁴ was rebuked in a

²⁴⁶ Ibn Hayyān (d. 469/1076), *Muqtabis*, ed. M. M. Antuña, Paris 1937, 133.13, cited in García-Arenal, 'Práctica', 147; and see M. I. Fierro Bello, *La heterodoxia en al-Andalus durante el período omeya*, Madrid 1987, 108–11.

²⁴⁷ Maqqarī (d. 1041/1631f.), *Nafh al-ṭīb*, ed. I. ʿAbbās, Beirut 1968, 2:658.14; and see J. Aguadé, 'Abū Rakwa', *Actas del IV Coloquio Hispano-Tunecino*, Madrid 1983, 13, and García-Arenal, 'Práctica', 147f.

²⁴⁸ ʿIyād, *Madārik*, 4:781.8 (speaking of *taghyīr al-manākir*); Ibn Abī Zarʿ (fl. c. 700/1300), *Rawḍ al-qirʾās*, ed. C. J. Tornberg, Uppsala 1843–6, 1:78.19 (speaking of *al-amr bi'l-ma'rūf*). Here the problem was that among the Ṣanhāja men were marrying six, seven, or ten wives each (*ibid.*, 78.17). Cf. also *ibid.*, 79.14, 79.17, 81.21, and García-Arenal, 'Práctica', 149f.

²⁴⁹ See below, ch. 16, 458f.; also García-Arenal, 'Práctica', 156f.

²⁵⁰ García-Arenal, 'Práctica', 160f., citing E. Fagnan (trans.), *Extraits inédits relatifs au Maghreb*, Algiers 1924, 340.

²⁵¹ Cf. García-Arenal, 'Práctica', 161, and *EI*², *Supplement*, art. 'Abū Maḥallī' (G. Deverdun).

²⁵² Yūsī (d. 1102/1691), *Muḥāḍarāt*, ed. M. Ḥajjī, Rabat 1976, 106.4 (I was directed to this source by Houari Touati). In the fuller version quoted by Ifrānī (d. c. 1155/1742), Ibn Abī Bakr objects to Abū Maḥallī's plan for the day on the ground that the conditions for *taghyīr al-munkar* do not obtain (*Nuzhat al-ḥādī*, ed. O. Houdas, Paris 1888, 204.23; cf. also *ibid.*, 204.14, 205.10).

²⁵³ Cf. *EI*², *Supplement*, art. 'Dilāʾ' (C. Pellat).

²⁵⁴ See M. Ḥajjī, *al-Ḥaraka al-fikriyya bi'l-Maghrib fi ʿahd al-Saʿdiyyin*, n.p. 1976–8, 231 (this work was drawn to my attention by Maribel Fierro).

similar tone by a literary antagonist: 'We call you . . . to repent from what you are doing, and to adhere to the normative custom (*sunna*) in commanding right with what it entails (*bi-mā fihī*); for rebelling against the authorities (*al-umārā*²⁵⁵) leads only to the corruption of the good order of mankind.'²⁵⁵ These examples could doubtless be multiplied.²⁵⁶

Where then is the theory that goes with this aggressive style of practice? It is not to be found in the Mālikī doctrines we have surveyed.²⁵⁷ Nor does it appear in the sources from which our historical examples are taken. Perhaps we should not look for it anywhere; people do not have to have theories in order to do things. But it is certainly worth inquiring, as Mercedes García-Arenal has done, whether there was in fact some unusually virulent strain of doctrine behind any or all of these instances, and more particularly those that clearly belong within the Mālikī community. An obvious local source would be the views of Ibn Ḥazm (d. 456/1064). In one discussion of forbidding wrong he strongly supports recourse to arms where necessary, and holds that the ruler should be deposed for the slightest act of injustice (*jamr*) should he fail to reform and submit to the appropriate penalty.²⁵⁸ In another discussion he maintains that, if an unjust Qurashī ruler is challenged by a rebel more just than he, it is our duty to fight for the rebel since doing so is righting a wrong (*taghyīr munkar*).²⁵⁹ But Ibn Ḥazm's message, though appropriate, was scarcely heard by posterity.²⁶⁰

²⁵⁵ Quoted *ibid.*, 234, from manuscript.

²⁵⁶ See García-Arenal, 'Práctica', 157f., and the references given there, for the cases of Sa'āda (d. 705/1305f.) in the tribal society of the Zāb, and of Ya'qūb al-Khāqānī (d. c. 825/1422) in the anarchic conditions of Fez in 817/1414f. (the latter invites comparison with the popular leaders who emerged in Baghdad in 201/817, for whom see above, ch. 5, 107). In the first case the source speaks of *taghyīr al-munkar* (Ibn Khaldūn (d. 808/1406), *Ibar*, Beirut 1956–9, 6:81.8), in the second of *al-amr bi'l-ma'rūf* (Ibn Hajar al-ʿAsqalānī (d. 852/1449), *Inbāʾ al-ghumr*, ed. Ḥ. Ḥabashī, Cairo 1969–72, 3:295.14, cited indirectly by García-Arenal). Elsewhere Ibn Khaldūn comments in general terms that many pious laymen and jurists foolishly rebel against unjust rule when they have no chance of success, appealing to these same slogans (*Muqaddima*, ed. E. M. Quatremère, Paris 1858, 1:287.2, cited in Abou El Fadl, 'The Islamic law of rebellion', 274 n. 835). ²⁵⁷ Cf. above, 360f., 367, 372, 378.

²⁵⁸ Ibn Ḥazm, *Fiṣal*, 4:171–6, esp. 175.24 (and cf. García-Arenal, 'Práctica', 148). This passage is a devastating polemic against the quietism of the traditionists and others. In the course of it Ibn Ḥazm refers the reader to his *Īṣāl* (read so for *Ittiṣāl*) *ilā fahm ma'rifat al-khiṣāl* for detailed discussion of the traditions adduced by the quietists (*Fiṣal*, 4:172.20); this work may be extant in an abridged form (see Brockelmann, *Geschichte*, supplementary volumes, 1:695 no. 11).

²⁵⁹ Ibn Ḥazm (d. 456/1064), *Muḥallā*, ed. A. M. Shākir, Beirut n.d., 9:362.15. In this work Ibn Ḥazm devotes two sections to *al-amr bi'l-ma'rūf* – something unusual in a Sunnī law-book. The first is anodyne (1:26f. no. 48). The second (*ibid.*, 9:361f. nos. 1,772f.) contains the doctrine just mentioned (and cf. also *ibid.*, 362.10). Note also his endorsement of righteous rebellion under the banner of *al-amr bi'l-ma'rūf* (*ibid.*, 11:98.18, cited in Madelung, 'Amr be ma'rūf', 994a).

²⁶⁰ As pointed out in García-Arenal, 'Práctica', 163f.

The alternative hypothesis, cautiously advanced by García-Arenal, is that a key role in making such activity doctrinally respectable in Mālikī circles was played by Ghazzālī.²⁶¹ As we have seen, Ghazzālī was prepared to countenance armed conflict and the gathering of bands in the course of forbidding wrong.²⁶² While we have no evidence that the particular passage in which he expressed this view was influential in the Maghrib, the impact of his work as a whole in the Muslim west is beyond dispute.²⁶³ Thus the hypothesis that Ghazzālī's views on violence worked on the minds of western Mālikīs, and especially the Ṣūfis among them, is not implausible.

5. CONCLUSION

As we have seen in this chapter, there is a fair amount of source-material bearing on the theory and practice of forbidding wrong among the Mālikīs. But it does not add up to a well-developed, continuing and distinctive Mālikī heritage. This is evident in both literary and substantive terms.

From a literary point of view, the material we have considered is fragmented. There is a real if limited body of doctrine handed down from Mālik himself, but it plays only a rather restricted part in the subsequent history of Mālikī thought.²⁶⁴ Ibn al-Rabīʿ, to judge by the little that survives, must have written an account of forbidding wrong more elaborate than anything we possess today in Mālikī literature; but his work seems to have had little impact.²⁶⁵ There is something of a new departure in the doctrines of Bājī and Ibn Rushd, but they have little residue apart from the persistence of the three-condition schema.²⁶⁶ Thereafter the dominant literary theme is the borrowing of material from the Shāfiʿites, as by Ibn al-Munāshif, ʿUqbānī and the commentators.²⁶⁷

In terms of substantive doctrine the same unevenness is apparent, particularly with regard to the politics of the duty. Thus Mālik's cooperative attitude towards the state has virtually no resonance in the record of practice in Ifrīqiya.²⁶⁸ The hierarchical conception of the duty is a pronounced feature of Koranic exegesis, but makes little appearance elsewhere.²⁶⁹ Mālikī attitudes towards heroism may be positive, as in the case of Ibn al-ʿArabī or Qarāfi, or negative, as in the case of ʿIyād or ʿUqbānī.²⁷⁰ Recourse

²⁶¹ *Ibid.*, 154–6, 163–4. ²⁶² See above, 372; and see below, ch. 16, 441.

²⁶³ Cf. above, 369–73, and below, ch. 16, 453–8.

²⁶⁴ See above, section 2; for Ibn Rushd as a commentator on Mālik, cf. above, notes 39f.

²⁶⁵ See above, 378–81.

²⁶⁶ See above, 362–5, and, for the persistence of the schema, above, note 80 and 374f.

²⁶⁷ See above, 369f., 371f., 376f. ²⁶⁸ Cf. above, 361 and 386.

²⁶⁹ See above, 367f., and notes 162f. ²⁷⁰ See above, 366f., and notes 84, 156–8.

to arms on the part of subjects gets no support at the level of doctrine – witness the views of Ibn al-‘Arabī, Ibn al-Munāṣif and the commentators;²⁷¹ but in later centuries it becomes a conspicuous feature of practice among Mālikīs.²⁷²

In addition to these points, there are perhaps two main historical reasons why the picture of the relations between theory and practice presented in this chapter is a rather unsatisfying one. The first is the very success of the Mālikīs in propagating their school over a wide area with a diversity of political and social conditions; this means that the accumulated body of their thought is not readily susceptible of analysis as a response to a specific historical setting. The second reason is more like bad luck: the evidence for theory and the evidence for practice tend to come from different periods and milieus of Mālikī history.

²⁷¹ See above, 367, 372, and notes 159f.

²⁷² See above, 388–90.

CHAPTER 15

THE IBĀDĪS

1. INTRODUCTION

In the early Islamic period, the Khārijite sects were comparable in number and significance to those of the Shī'ites. In the long run, however, they were far less successful. Within a few centuries, the only surviving Khārijite sectarians were the Ibādīs, and they are consequently the only Khārijite group whose doctrines can be investigated systematically on the basis of their own writings. The pattern of distribution of the Ibādīs was similar to that of the medieval Zaydīs: having died out in the centre of the Islamic world, they gradually came to be confined to two widely separated peripheral regions. In the Ibādī case, these were Oman in the east and parts of North Africa (Jerba, the Jabal Nafūsa, and the Mozab) in the west. Unlike the Zaydīs, the Ibādīs survived the centuries in both their peripheral habitats, and today each of them preserves an Ibādī literary heritage. Of the two heritages, that of the eastern Ibādīs is by now the more extensively published, in large part thanks to the existence in Oman – as not in North Africa – of an Ibādī state.¹

One implication of this is that we know rather little about the views of non-Ibādī Khārijites on forbidding wrong. What we are told in non-Khārijite sources is, however, very consistent: the duty is regularly associated with Khārijite political activism.² Thus Ibn Abī 'l-Ḥadīd, in making the point that forbidding wrong is a major religious principle, states that it was the value espoused by the Khārijites who rebelled against the state

¹ For a survey of the history and doctrines of the sect as a whole, see *EI*², art. 'Ibādīyya' (T. Lewicki).

² This association is well known to the secondary literature (see, for example, J. Wellhausen, *Die religiös-politischen Oppositionsparteien im alten Islam*, Berlin 1901, 13); Madelung has dubbed it the 'Kharijite interpretation' of *al-amr bi'l-ma'rūf* ('Amr be ma'rūf', cols. 993a–b). For an example, see Ājurri (d. 360/970), *Sharī'a*, ed. M. Ḥ. al-Fiqī, Riyāḍ 1992, 33.4.

(*sulṭān*), since they did so only in response to what they knew or believed to be the injustice of those in authority.³ Early sources provide some support for this observation. Thus an account is preserved from Abū Mikhnaḥ (d. 157/773f.) in which forbidding wrong appears in a Khārijite proclamation on the occasion of the secession to Ḥarūrā³ in the year 37/657.⁴ A heresiography which is likely to be the work of Jaʿfar ibn Ḥarb (d. 236/850f.) states that the Khārijite heresiarch Nāfiʿ ibn al-Azraq (d. 65/685) outlawed precautionary dissimulation (*taqiyya*), and held any quietist Khārijite who did not go forth (*lam yakhruḡ*) commanding right and forbidding wrong to be an infidel.⁵ According to Haytham ibn ʿAdī (d. c. 206/821) as quoted by Balādhurī (d. 279/892f.), the Khārijite rebel Saʿīd ibn Bahdal (d. 127/744f.) had been a follower of a Khārijite leader called Saʿīd ibn Marwān al-Ḍaʿīf, who owed his sobriquet to his reply when asked if he did not command right and forbid wrong: he was physically weak (*ḍaʿīf al-badan*) and lacked followers (*aʿmān*). This attitude is implicitly contrasted with the activism of Saʿīd ibn Bahdal himself.⁶

There is no reason to doubt the historicity of this association of forbidding wrong with rebellion among the Khārijites. However, two qualifications may be in place. First, the linkage is not peculiar to the Khārijites; as we have seen, it is found elsewhere, and is particularly prominent among the Zaydīs. Even a staunch Ḥanbalite such as Ibn Qayyim al-Jawziyya (d. 751/1350) finds the idea of rebellion with the aim of righting wrong (*inkār al-munkar*) perfectly intelligible; it is just that it is overridden by consideration of the adverse consequences it would lead to, which render it the root of all evil.⁷ Secondly, the linkage need not imply that rebellion

³ Ibn Abī ʿl-Ḥadīd, *Sharḥ*, 19:311.15. See also Ibn Taymiyya as quoted in Ibn Muḥliḡ, *Ādāb*, 1:177.8 (and cf. above, ch. 7, note 99).

⁴ Ṭabarī, *Taʾrīkh*, series I, 3,349.13, cited in van Ess, *Theologie*, 2:388 n. 9; Balādhurī (d. 279/892f.), *Ansāb al-asrāf*, ed. M. B. al-Maḥmūdī, Beirut 1974, 342.8, cited from manuscript in E. R. Fiḡlalī, *İbādīye'nin doğuşu ve görüşleri*, Ankara 1983, 57 n. 28. In another report from Abū Mikhnaḥ, the Khārijite leader ʿAbdallāh ibn Wahb al-Rāsibī (d. 38/658) calls the leading Khārijites to *al-amr bi'l-ma'rūf* (Balādhurī, *Ansāb*, ed. Maḥmūdī, 362.15).

⁵ J. van Ess, *Frühe mu'tazilitische Häresiographie: Zwei Werke des Nāṣi' al-Akbar (gest. 293 H.) herausgegeben und eingeleitet*, Beirut 1971, 69.2 of the Arabic text; and see K. Lewinstein, 'The Azāriqa in Islamic heresiography', *Bulletin of the School of Oriental and African Studies*, 54 (1991), 260f. For the probable authorship of this text, see Madelung, 'Frühe mu'tazilitische Häresiographie: das *Kitāb al-Uṣūl* des Ga'far b. Ḥarb?'. The heresiographer goes on to speak of a quietist sect which emerged from the Azāriqa after their military defeat, the Khāzimiyya (for whom see Madelung, *Religious trends*, 63–5). This group forbade the *hajj* in the context of *taqiyya*, but held that once they undertook the duty of commanding and forbidding (*al-amr wa'l-nahy*) and *taqiyya* ceased, pilgrimage would become a duty (van Ess, *Frühe mu'tazilitische Häresiographie*, 69.7 of the Arabic text; and see Madelung, *Religious trends*, 63f.).

⁶ Balādhurī (d. 279/892f.), *Ansāb al-asrāf*, ms. Istanbul, Reisülküttap 598, f. 116a.31; cf. Ash'arī, *Maqālāt*, 121.3. I am indebted to Chase Robinson for drawing my attention to both passages and supplying me with a copy of the first.

⁷ Ibn Qayyim al-Jawziyya, *I'lām*, 3:4.4. Cf. Ḥasan al-Baṣrī's response to the news of a

was all there was to the duty among the Khārijites; it may simply have been the aspect that attracted most attention from outsiders. It is only quite incidentally that we hear that, in Medina in the late first/seventh century, people who rebuked others in the baths were liable to be stereotyped as Khārijites.⁸

It goes without saying that this material does not permit us to characterise the doctrine of the early Khārijites, apart from the obvious point that they cannot have assigned great weight to the adverse consequences of rebellion against unjust rule. Wellhausen went so far as to remark that it was characteristic of the Khārijites to implement the duty without any regard for circumstances.⁹ But this, though a fine literary touch, should not be mistaken for a formal statement of the Khārijite doctrine of forbidding wrong across the board.¹⁰

Once we turn from the Khārijites at large to the Ibādīs, we can begin to draw on the literature of the sectarians themselves. Most of this literature was written in Oman and North Africa. There is, however, a significant body of Ibādī texts that date back to the period when Ibādī scholarly activity was still centred in the heartlands of the Islamic world, above all in Baṣra. Unfortunately this literature – in so far as it is accessible to me – has very little to say about forbidding wrong. A minor exception is an epistle ascribed to Abū Sufyān Maḥbūb ibn al-Raḥīl (*fl.* later second/eighth century).¹¹ The writer includes forbidding wrong in a list of things for which the sect stands.¹² More interestingly, he has a passage in which he laments how, in these evil times, someone (*wāḥidunā*) could say that, if only he were to be commanded right and forbidden wrong, he would not be a helper of the oppressors (*ẓālimūn*) or a friend to those who profess obedience to them.¹³ A similar spirit is prominent in an early Omani text, an epistle of Shabīb ibn ‘Atiyya (*fl.* mid-second/eighth century) directed

rebellion initiated by a Khārijite: while seeking to right a wrong, he had fallen into a worse one (see above, ch. 4, note 43). ⁸ See above, ch. 4, note 173.

⁹ Wellhausen, *Die religiös-politischen Oppositionsparteien*, 13: ‘die rücksichtslose Betätigung desselben zur Zeit und zur Unzeit kennzeichnet die Chavārig’.

¹⁰ Cf. Lambton, *State and government*, 310. That the Khārijites considered *al-amr bi’l-ma’rūf* to be an unconditional duty is a favourite theme of the Imāmī Murtaḍā Muṭaḥḥarī (d. 1399/1979) (see his *Jādhība wa dāfi’-a-i ‘Alī ‘alayhi ‘l-salām*, Tehran 1391, 124f., last paragraph of the footnote; his *Āshnā’i bā ‘ulūm-i Islāmī*, Qumm n.d., 2:34.15; his ‘Adālat az nazar-i Islām’, in his *Bist guftār*, n.p. 1357 sh., 46.1; and his *Sayrī dar sira-i a’imma-i aṭḥār*, Tehran and Qumm 1367 sh., 38.17).

¹¹ Darjīnī (seventh/thirteenth century), *Ṭabaqāt al-mashāyikh bi’l-maghrīb*, ed. I. Tallāj, n.p. n.d., 279–89 (but note the second *ammā ba’d* at 284.3). Darjīnī says the epistle was written to ‘Abdallāh ibn Yahyā (d. 130/747f.), which makes no sense chronologically (see van Ess, *Theologie*, 2:202 and n. 100). For Abū Sufyān, see *EP*², art. ‘Maḥbūb b. al-Raḥīl al-‘Abdī’ (T. Lewicki).

¹² Darjīnī, *Ṭabaqāt*, 289.8. He glosses *ma’rūf* as *ṭā’a* [t Allāh], and *munkar* as *ma’ṣiyat Allāh*.

¹³ *Ibid.*, 288.12.

against the quietist traditionalists of mainstream Islam.¹⁴ Thus he reviles the mainstream (*al-sawād al-aʿzam*) as those who have disregarded God's rights and gone home, abandoning the struggle for justice (*al-qiyām bi'l-qist*) and the forbidding of wrong.¹⁵ Here we find the same association of forbidding wrong with rebellion against unjust rule that marks accounts of the Khārijites at large.¹⁶ It is also found in non-Khārijite accounts of the Ibādīs. Thus Abū 'l-Faraj al-Iṣbahānī (d. 356/967) quotes from Madā'inī (d. c. 228/842) a speech of the Ibādī rebel 'Abdallāh ibn Yaḥyā al-Kindī (d. 130/747f.) in Yemen; here forbidding wrong figures among a list of beliefs and duties to which the rebels call people.¹⁷ Likewise an elegy for the rebels also quoted by Abū 'l-Faraj describes them as 'forbidding wrong to whoever they met' (*nāhina man lāqaw 'ani 'l-nukrī*).¹⁸ To return to Ibādī sources, a passage in the same vein is found in an epistle ascribed to Sālim ibn Dhakwān (fl. 70s/690s), in any event an early source.¹⁹ The author states that, in the view of the sect, one should affiliate to women and slaves (*al-mar'a wa'l-mamlūk*) who 'go forth' (sc. to join fellow-members of the sect who are in rebellion) with the right intentions. His proof-text is Q9:71: 'And the believers, the men and the women (*wa'l-mu'minūna wa'l-mu'minātu*), are friends one of the other; they command right, and forbid wrong . . .'²⁰ There is a clear link here to wider Khārijite attitudes to rebellion. Incidentally, this is not the last time that we will be concerned with Ibādī views on the role of women in forbidding wrong.²¹

¹⁴ For this epistle, see Cook, *Early Muslim dogma*, 57.

¹⁵ Shabīb ibn 'Aṭīyya (fl. mid-second/eighth century), *Sira*, in S. I. Kāshif (ed.), *al-Siyar wa'l-jawābāt li-'ulamā' wa-a'immat 'Umān*, Oman 1986–8, 2:378.16; and see also *ibid.*, 354.2, 358.17, 370.11. I owe my copies of all texts cited from the second volume of Kāshif, *Siyar*, to Patricia Crone.

¹⁶ Darjīnī also quotes from the mother of a certain Nāfi' ibn Khalifa, whom I am unable to date, an account of the *qurrā'* in the days before the Khārijites split (in 64/683f.), according to which they believed in fighting the tyrants (*qitāl al-jabābira*) and in *al-amr bi'l-ma'rūf* (*Tabaqāt*, 235.4). Compare the quotation from the third/ninth-century Omani Ibādī Abū 'l-Mu'thir al-Ṣalt ibn Khamīs in Sālimī (d. 1332/1914), *Tuhfat al-a'yān*, Cairo 1961, 1:86.4; I am indebted to Lesley Wilkins for sending me this volume and several other Omani publications cited in this chapter.

¹⁷ Abū 'l-Faraj al-Iṣbahānī, *Aghānī*, 23:227.1 (translated in van Ess, *Theologie*, 2:196).

¹⁸ Abū 'l-Faraj, *Aghānī*, 23:251.4, whence I. 'Abbās, *Shi'r al-Khawārīj*, Beirut 1974, 224 no. 123, line 11, and cf. 'Abbās's introduction, 10. The poet, 'Amr ibn al-Ḥusayn al-'Anbarī, is described as a Kūfan Ibādī (Abū 'l-Faraj, *Aghānī*, 23:234 n. 1).

¹⁹ For the dating and ascription of this epistle see Cook, *Early Muslim dogma*, esp. ch. 10, and van Ess, *Theologie*, 1:171–4. A full edition, translation and study of the epistle is being published by P. Crone and F. Zimmermann.

²⁰ Sālim ibn Dhakwān (fl. 70s/690s), *Sira*, in Hinds Xerox, 192.6. The proof-text clearly provides more explicit support with regard to women than slaves.

²¹ See below, 402, 415f., 422, 423f. For the military role of women among the early Khārijites, see Kohlberg, 'Medieval Muslim views on martyrdom', 6 n. 5, and the examples collected in the forthcoming study of Crone and Zimmermann. Since women were unusually prominent in early Khārijite sects, it would not be surprising if they were also given to commanding right and forbidding wrong; but I have not come across an example.

2. THE WESTERN IBĀDĪS

The link between forbidding wrong and political power remains prominent in Western Ibādī sources. As among the Zaydīs, the duty is associated with sectarian state-formation – with rebellion against unjust rule and the exercise of the legitimate authority of the imam. The connection with rebellion, though much less common than among the Zaydīs, was noted by Goldziher in the case of the Nukkārī Ibādī rebel Abū Yazīd Makhḷad ibn Kaydād (d. 336/947).²² The linkage with the imamate is more frequently attested. Thus in the context of a dispute over the authority of the second imam of the Rustumid dynasty of Tāhart (161–296/778–909), ‘Abd al-Wahhāb ibn ‘Abd al-Raḥmān (r. 171–208/788–824), the view was put forward that the imam was bound to act only in the presence of a regular congregation (*jamā‘a ma‘lūma*).²³ When the leading eastern Ibādī authorities were consulted on this, they rejected the idea, ridiculing the notion that, among other things, the imam could not forbid wrong except in the presence of the congregation.²⁴ In an anecdote likewise set in Tāhart, the imam – perhaps Aflaḥ (r. 208–58/824–72) – refers to his duty to forbid wrong.²⁵ Janāwunī (first half of the sixth/twelfth century) in one version of his creed mentions ‘commanding and forbidding’ as a subject of disagreement in the community:²⁶ the orthodox (*muwāḥḥidūn*) agree that forbidding wrong is an obligation, whereas certain heretics (the Nukkāth) deny this, holding the imamate not to be obligatory.²⁷ The later

²² Goldziher, *Livre*, 96; for this rebellion of 332–6/944–7 against the Fāṭimids, see *ET*², art. ‘Abū Yazīd al-Nukkārī’ (S. M. Stern). Goldziher’s authority was Ibn Khaldūn, according to whom Abū Yazīd engaged in *al-ḥisba ‘alā ‘l-nās wa-taghyīr al-munkar* (*Iḥar*, 4:84.16); see also I. ‘Abbās, ‘Maṣādir thawrat Abī Yazīd Makhḷad ibn Kaydād’, *al-Aṣāla*, 6 (1977), 30.

²³ Darjīnī, *Ṭabaqāt*, 48.16. This incident forms part of the confused story of the Nukkārī schism (see *ET*², art. ‘Nukkār’ (T. Lewicki)).

²⁴ Darjīnī, *Ṭabaqāt*, 50.3 (*wa-lā yanḥā ‘an munkar*). Otherwise, they held, everyone and no one would be an imam. In the chronicle of Abū Zakariyyā’ al-Warjlānī (fl. late fifth/eleventh century), however, the corresponding wording is *wa-lā yanḥā ‘an fasād* (*Siyar al-a‘imma wa-akḥbārūhum*, ed. I. al-‘Arabī, Algiers 1982, 91.8).

²⁵ Darjīnī, *Ṭabaqāt*, 293.14. A responsum of imam Aflaḥ regarding *al-amr bi’l-ma‘rūf* is noted in W. Schwartz, *Die Anfänge der Ibaditen in Nordafrika*, Wiesbaden 1983, 74 n. 7; for the manuscript cited, see *ibid.*, 301 no. 18.

²⁶ R. Rubinacci, ‘La professione di fede di al-Ḡannāwunī’, in Istituto Universitario Orientale di Napoli, *Annali*, new series, 14 (1964), 586. The other version, which presents the matter in a somewhat different light, will be taken up below, notes 34, 41.

²⁷ *Ibid.*, 587f., and cf. 563 (for Janāwunī, see *ET*², art. ‘Abū Zakariyyā’ al-Djanāwunī’ (A. de Motylinski and T. Lewicki)). The Nukkāth are doubtless the Nafāthiyya, for whom see T. Lewicki, ‘Les subdivisions de l’Ibādīyya’, *Studia Islamica*, 9 (1958), 79. There is a similar association of *al-amr bi’l-ma‘rūf* with the imamate in the rhetoric of Abū ‘Ammār ‘Abd al-Kāfī (fl. mid-sixth/twelfth century), *Mūjaz*, *apud* ‘A. Ṭālibī, *Arā’ al-Khawārij al-kalāmiyya*, Algiers 1978, 2:224.2, 226.1, 233.3 (for Abū ‘Ammār, see *ET*², *Supplement*, art. ‘Abū ‘Ammār’ (J. van Ess)).

third/ninth-century chronicler Ibn Ṣaghīr remarks on the arrangements made by the imam Abū ʿl-Yaqẓān (r. 260–81/874–94) for a group to command right and forbid wrong in the markets.²⁸ A residual association of the duty with political authority is apparent in an anecdote told about Yakhḷaf ibn Yakhḷaf (second half of the sixth/twelfth century), long after the demise of the Ibādī imamate in North Africa.²⁹ One winter morning after he and his pupils had performed the dawn prayer, he jokingly inquired who would give them breakfast in return for being appointed emir over them. He had in mind one Mūsā ibn Ilyās al-Mazātī, who took up the offer. When they left, Yakhḷaf remarked to Mūsā that he could not himself assume the role of emir, but that he would have a son whom he should call Aflaḥ after the Rustumid imam of that name. Mūsā did indeed have such a son, who grew up to command right and forbid wrong, and was obeyed and followed in every good enterprise he undertook.³⁰

What of the duty of the ordinary individual? A short letter of imam ʿAbd al-Wahhāb to the people of Tripoli opens with the statement that Islam consists of the confession of faith, the affirmation of revelation, forbidding wrong, performance of prayer, payment of the alms-tax and the like;³¹ from the company it keeps here, the duty would seem to be one of individuals. The third/ninth-century author who preserves this letter adopts a similar formulation himself.³² The mention of the duty in Ibādī creeds³³ presumably refers at least in part to the individual duty. Janāwunī in one version of his creed states it as orthodox doctrine that God has imposed the duty on His servants at every moment (*ḥīn*) and time (*awān*) according to their capacity (*ʿalā qadr al-tāqa*).³⁴ Similarly ʿĀmir ibn ʿAlī al-Shammākhī (d. 792/1389f.) states that forbidding wrong is obligatory at every time (*fī kull zamān*) according to a person's capacity (*ʿalā qadr al-tāqa*).³⁵ A third such Ibādī creed, that of Ibn Jumayʿ (eighth/fourteenth century), does no

²⁸ Ibn Ṣaghīr (later third/ninth century), *Akhhbār al-aʿimma al-Rustumiyyīn*, ed. Ḥ. ʿA. Ḥasan, Cairo 1984, 287.6; and cf. 269.8 (mentioning *al-iḥtisāb ʿalā ʿl-fussāq*). These passages appear in Barrādī (later eighth/fourteenth century), *Jawābir*, Cairo 1302, 177.4, 177.10. ²⁹ Darjīnī, *Ṭabaqāt*, 518.23.

³⁰ *Ibid.*, 519.11. Darjīnī remarks that he had himself witnessed the conduct of the son.

³¹ Ibn Sallām (third/ninth century), *Kitāb fihī badʿ al-Islām wa-sharʿiʿ al-dīn*, ed. W. Schwartz and Sālim ibn Yaʿqūb, Wiesbaden 1986, 93.5, and cf. 93.12.

³² *Ibid.*, 86.3. ³³ Noted by Madelung (ʿAmr be maʿrūf, 993a).

³⁴ See above, note 27. The other version is the same in substance, but uses the phrase *fī kull zamān* (see the text published in P. Cuperly, 'Une profession de foi ibādīte', *Bulletin d'Études Orientales*, 32–3 (1980–1), 53.4, and cf. the listing of *al-amr bi'l-maʿrūf* at 48.35; for the sources of the two versions, see *ibid.*, 21).

³⁵ ʿĀmir ibn ʿAlī al-Shammākhī (d. 792/1389f.), *Ḍiyānāt*, published in P. Cuperly, *Introduction à l'étude de l'Ibādisme et de sa théologie*, Algiers 1984, 336.16. For translations, see *ibid.*, 333; ʿA. K. Ennāmi, *Studies in Ibādism*, Beirut 1972, 152 item 5; also Madelung, ʿAmr be maʿrūf, 993a (rendering only the relevant article).

more than mention forbidding wrong.³⁶ These short statements do not tell us much, but they have one interesting feature. While the reference to capacity is widespread Islamic doctrine, the insistence that the duty obtains at all times is unusual. What were the Ibādī scholars seeking to exclude?

The clue can perhaps be found in a view reported by Darjīnī (seventh/thirteenth century) to have been held by a scholar of the second half of the fourth/tenth century, Abū Mūsā ʿĪsā ibn al-Samḥ al-Zawāghī.³⁷ Zawāghī held some controversial views. That which concerns us was to the effect that while the believers are in a state of concealment (*kitmān*), they have no obligation to command or forbid.³⁸ Now the state of concealment, as opposed particularly to manifestation (*ẓuhūr*), is a basic concept of Ibādī religious politics.³⁹ It precludes the existence of an imamate, so that Ibādīs in this state are obliged to accommodate themselves to the rule of tyrants; but it does not preclude forbidding wrong.⁴⁰ Moreover, Janāwunī in one version of his creed seems to associate the view that the duty lapses in the absence of manifestation and the imamate with a heretical group among the Ibādīs, the Nukkāth.⁴¹ Posterity therefore hastened to explain away Zawāghī's deviant view by saying that he was referring only to commanding and forbidding non-Ibādīs (*ahl al-khilāf*).⁴² This, as Darjīnī goes on to say, is an acceptable view, and close

³⁶ Ibn Jumay' (eighth/fourteenth century), *ʿAqida*, in Aḥmad ibn Saʿīd al-Shammākhī (d. 928/1522) and Dāwūd ibn Ibrāhīm al-Talātī (d. 967/1560), *Muqaddimat al-tawḥīd wa-shurūḥuhā*, ed. Ibrāhīm Aṭṭāyish, Cairo 1353, 43.1, 56.1, noted in Madelung, 'Amr be ma'rūf', 993a. For this creed, which Ibn Jumay' translated from an older Berber version, see Rubinacci, 'Professione', 553f., 567–76; also Ennāmi, *Studies*, 174 (whence I adopt the vocalisation 'Jumay'). The only point of note in the commentaries is that Talātī, after listing the 'three modes', adds the tripartite division of labour as an anonymous saying (Shammākhī and Talātī, *Muqaddima*, 43.11); this saying is typically – though not exclusively – Ḥanafī (see below, ch. 17, notes 29f.). The editor – a nephew of the well-known Muḥammad ibn Yūsuf Aṭṭāyish (d. 1332/1914) – firmly rejects the idea of such a division of labour in a footnote (*ibid.*, 43 n. 1).

³⁷ On Zawāghī see Darjīnī, *Ṭabaqāt*, 365–7.

³⁸ *Ibid.*, 366.5 (*inna ʿl-amr wa'l-nahy marfūʿan ʿan ahl al-kitmān, lā yalzamuhum min dhālika shayʿ*). ³⁹ Ennāmi, *Studies*, 234–8.

⁴⁰ *Ibid.*, 235, citing the *Masāʾil al-tawḥīd* of Abū ʿl-ʿAbbās Aḥmad ibn Muḥammad ibn Bakr (d. 504/1110f.) (for which see *ibid.*, 170, and A. K. Ennami, 'A description of new Ibadi manuscripts from North Africa', *Journal of Semitic Studies*, 15 (1970), 73); P. Cuperly, 'L'Ibādisme au XII^eme siècle: la ʿAqida de Abū Sahl Yahyā', *IBLA* (= *Revue de l'Institut des belles lettres arabes*), 42 (1979), 295, translating a similar passage from the 'aqida of a scholar of about the sixth/twelfth century (for whom see *ibid.*, 70–3). It is even permissible for Ibādīs to take office under tyrants if they are capable of commanding them right and forbidding them wrong (Ennāmi, *Studies*, 237, citing Warjlānī, *Dalīl*, 3:64.7).

⁴¹ Cuperly, 'Une profession de foi ibādite', 53.5. In substance this version is like that quoted above, note 27, except that it adds the explanation: *wa-qad ʿalimnā annahu lā yaṣībḥ al-amr bi'l-ma'rūf wa'l-nahy ʿan al-munkar illā bi'l-imāma wa'l-ẓuhūr*; I take it that it is the Nukkāth who are speaking, but the passage seems confused. For the Nukkāth, see above, note 27. ⁴² Darjīnī, *Ṭabaqāt*, 366.10.

to one expressed by Abū Muḥammad Jamāl, a scholar of the first half of the fourth/tenth century:⁴³ you are not obliged to rebuke non-Ibādīs for anything which is allowable in their law but not in yours,⁴⁴ and to abstain from such censure is not to throw to the winds the duty of forbidding wrong. However, Darjīnī concludes, this is not the view of most of our scholars; they consider it a duty to forbid all wrongs without distinction, provided one is not unable to do so or in fear. This last points to an underlying doctrine of forbidding wrong in line with mainstream Islamic views. The insistence on the obligatoriness of the duty at all times can thus be understood as a rejection of Zawāghī's deviation.

The earliest sustained account of the duty known to me from the western Ibādīs is that of Sulaymān ibn Yakhlaḥ al-Mazātī (d. 471/1078f.),⁴⁵ but it does not in fact have much to offer. The familiar point is made that the obligatoriness of forbidding wrong turns on how far people are able to perform it (*'alā qadr ṭāqatihim*).⁴⁶ More interesting is the appearance of the three modes (here *ma'ānī*), albeit in a variant form.⁴⁷ Here the first case is that in which one is able to put a stop to the wrong; one's duty is to do just that, whether by saying something or by recourse to one's whip or sword (*immā bi-kalāmihī aw bi-sawṭihī aw bi-sayfihī*); there is no mention of the hand as such. The second case is that in which one is unable to put a stop to the wrong; here one still has the obligation to forbid it verbally (*fa-'alayhī nahyuhū bi-lisānihī*). The third case is that in which one is unable to forbid the wrong, and is in fear of being killed or beaten up; here one's duty is to right the wrong in one's heart (*fa-l-yughayyir bi-qalbihī*). Again the basic ideas are standard, but the duty to forbid even when this

⁴³ For Abū Muḥammad, see *ibid.*, 345–9. He had reason to have a view on the topic, since he used to pray in a congregation composed mostly of *ahl al-khilāf* (*ibid.*, 347.10); we can identify them as Mālikīs, since Darjīnī describes them as following a ritual practice – *qunūt* (prayers directed against enemies) at the dawn prayer – which was characteristic of the Mālikīs and Shāfi'ites (see *EI*², art. 'Kunūt' (A. J. Wensinck), and Ibn Hazm, *Muḥallā*, 4:145.13; for Ibādī rejection of this practice, see Ennāmi, *Studies*, 106, and below, note 120). Abū Muḥammad also rebuked a dishonest vendor in Madyan while he was on pilgrimage, slapping him and aptly quoting Q26:181 (Darjīnī, *Ṭabaqāt*, 349.4).

⁴⁴ Compare also the view reported by Aṭṭāyish (d. 1332/1914) that there is no commanding and forbidding between us and non-Ibādī Muslims (*lā amr wa-lā nahy baynanā wa-bayna qawminā*) (*Taysīr al-tafsīr*, Cairo 1981–, 2:137.17, to Q3:104; the employment of *qawm* in this sense is standard Ibādī usage).

⁴⁵ For Mazātī see Darjīnī, *Ṭabaqāt*, 425–9; *EI*², art. 'Mazātī' (T. Lewicki).

⁴⁶ Sulaymān ibn Yakhlaḥ al-Mazātī (d. 471/1078f.), *Tuḥaf*, ms. Bārūnī, Kābāw, Jabal Nafūsa, f. 21a.12. For the work, see Ennāmi, *Studies*, 168f., and, for this manuscript, Ennāmi, 'Description of new Ibādī manuscripts', 72f. My copy of the relevant passage is taken from a xerox of the manuscript kindly loaned to me by Elizabeth Savage; the xerox quality is poor towards the bottom of each page.

⁴⁷ Sulaymān ibn Yakhlaḥ, *Tuḥaf*, f. 21b.6. He makes no reference to the tradition behind the schema.

will be ineffective is noteworthy,⁴⁸ as is the approval of the use of the sword. There is also a set piece on the duty in a work by a pupil of Sulaymān ibn Yakhḷaf, Tabghūrīn al-Malshūṭī (second half of the fifth/eleventh century),⁴⁹ but it has nothing significant for us, being concerned largely with holy war and the imamate.

By far the longest treatment of forbidding wrong in any western Ibādī source known to me is that of Jayṭālī (d. 750/1349f.).⁵⁰ Its length is easily explained: the work in which it is found is essentially an Ibādī recension of Ghazzālī's *Revival of the religious sciences*.⁵¹ His discussion of forbidding wrong by and large follows and paraphrases that of Ghazzālī, to whom he refers quite frequently by name.⁵² This does not, of course, prevent him from incorporating other material. Some of this is non-Ibādī: the discussion of the question whether the duty is grounded in reason, or in revelation alone, is taken from the Shāfi'ite Māwardī (d. 450/1058),⁵³ while anecdotes about the virtuous in the presence of the powerful are borrowed from a work of the Mālikī Ṭurṭūshī (d. 520/1126).⁵⁴ Other material which Jayṭālī cites or refers to is Ibādī: he invokes such sources as the transmission of the scholars of the Jabal Nafūsa (*riwāyat mashāyikh al-Jabal*),⁵⁵ 'what we have heard' (*mā balagħhanā*) of the Ibādī heroes of the past,⁵⁶ and stories of early Ibādīs (*ḥikāyāt al-salaf*).⁵⁷ But it is his handling of Ghazzālī's text that is the primary focus of interest.

⁴⁸ Compare the view of Nawawī (above, ch. 13, p. 352f.), and below, notes 179–81, 209. It is this duty that drives the reshaping of the schema.

⁴⁹ Tabghūrīn al-Malshūṭī (second half of the fifth/eleventh century), *Uṣūl al-dīn*, in 'A.K. Ennāmī, 'Studies in Ibādīsm', Cambridge Ph.D. 1971, vol. 2, second item, 35–8. For this work, see Ennāmī, *Studies*, 169f.; van Ess, 'Untersuchungen zu einigen ibādītischen Handschriften', 54f. no. 10. Van Ess notes the treatment of *al-amr wa'l-nahy* in the eighth chapter of the work, and the structural similarity of the work to Mu'tazilite dogmatic treatises.

⁵⁰ Jayṭālī (d. 750/1349f.), *Qanāṭir al-khayrāt*, Oman 1983, 2:129–217 (excluding the chapter on *jihād*, *ibid.*, 130–45). On Jayṭālī, see *EI*², art. 'Djayṭālī' (T. Lewicki). He himself was well known for his performance of the duty (see Aḥmad ibn Sa'īd al-Shammākhī (d. 928/1522), *Siyar*, ed. A. S. al-Siyābī, Muscat 1987, 2:195.23, 197.13, 197.15).

⁵¹ See Ennāmī, 'Studies in Ibādīsm', vol. 2, English introduction, 8f.; for the relationship between the treatments of ritual purity in the two works, see R. Rubinacci, 'La purità rituale secondo gli Ibāditi', in Istituto Universitario Orientale di Napoli, *Annali*, new series, 6 (1954–6), 6. Ghazzālī's account of *al-amr bi'l-ma'rūf* is discussed below, ch. 16.

⁵² Jayṭālī, *Qanāṭir*, 2:159.8, 185.4, 185.12, 187.14, 188.12, 189.9, 195.12, 210.21.

⁵³ *Ibid.*, 155.11, paraphrasing Māwardī, *Adab*, 101.17. The borrowing is not acknowledged, and may not be direct (cf. below, notes 203f.). Māwardī's account in turn is likely to stem from a Mu'tazilite source (see above, chapter 13, notes 40f.).

⁵⁴ There are acknowledged borrowings from the *Sirāj al-mulūk* at Jayṭālī, *Qanāṭir*, 2:194.10, 199.6; for the first, see Ṭurṭūshī (d. 520/1126), *Sirāj al-mulūk*, Cairo 1935, 64.19, and for the second, *ibid.*, 51.7. ⁵⁵ Jayṭālī, *Qanāṭir*, 2:153.5.

⁵⁶ *Ibid.*, 165.2. ⁵⁷ *Ibid.*, 178.9.

In what ways does Jayṭālī intervene to alter the content or emphasis of Ghazzālī's doctrine? Some of his initiatives concern relatively isolated points. He makes reference to the 'three modes',⁵⁸ He inserts rationalist explanations of the terms 'right' (*ma'rūf*) and 'wrong' (*munkar*) which are alien to Ghazzālī.⁵⁹ Rather surprisingly, he not only adopts Ghazzālī's statement that the duty obligates slaves and women,⁶⁰ but works in similar formulations in other parts of Ghazzālī's text;⁶¹ he also quotes from the scholars of the Jabal Nafūsa an anecdote in which one old woman exhorts another not to give up her share of commanding and forbidding.⁶²

But by far the most prominent intervention of Jayṭālī's is his enhancement of the activist flavour of Ghazzālī's account. Ghazzālī at one point states that a subject proceeding against a ruler may have recourse only to informing and counselling;⁶³ Jayṭālī reproduces this, but distances himself from it by describing it as the view of the non-Ibāḍīs (*qawmunā*).⁶⁴ He goes on to remark that there has been disagreement over the question of rebellion against unjust rulers (*al-khurūj 'alā 'l-salāṭīn al-jawara*), though he declines to go into this here. Later Ghazzālī considers the question whether it is lawful for individual subjects to form an armed band in performance of the duty; he notes that there have been divergent views on this, and presents the arguments on both sides before coming down in favour – but with the reassurance that such eventualities will be rare.⁶⁵ Jayṭālī, by contrast, makes no mention of contrary views, and endorses the formation of armed bands in God's cause as no great matter (*dhālika ghayr kabīr*).⁶⁶ With regard to speaking harshly to rulers, Ghazzālī takes the view that this is permissible and commendable, but only if an adverse response will bring harm solely upon oneself.⁶⁷ Jayṭālī explicitly quotes this from Ghazzālī,⁶⁸ and then goes on to give his own view (*alladhī 'indī*). He holds that, provided one's sole purpose is to right the wrong (*inkār al-munkar*) and proclaim the truth, it makes no difference who is harmed; Ibāḍīs in the past had suffered greatly at the hands of tyrants as a consequence of the

⁵⁸ *Ibid.*, 154.22, inserted at a point corresponding to Ghazzālī, *Ihyā'*, 2:285.26. What Jayṭālī offers is close to the wording of the relevant Sunnī tradition.

⁵⁹ Jayṭālī, *Qanāṭir*, 2:146.21, 168.2 (contrast Ghazzālī, *Ihyā'*, 2:297.9). This has a precedent in the Koran commentary of the third/ninth-century North African Ibāḍī Hūd ibn Muḥakkam (*Tafsīr*, 2:50.17 (to Q7:157), 149.5 (to Q9:67), 150.21 (to Q9:71), 171.1 (to Q9:112)).

⁶⁰ Jayṭālī, *Qanāṭir*, 2:156.6, corresponding to Ghazzālī, *Ihyā'*, 2:286.3.

⁶¹ Jayṭālī, *Qanāṭir*, 2:154.20, 167.12; contrast Ghazzālī, *Ihyā'*, 2:285.26, 296.32.

⁶² Jayṭālī, *Qanāṭir*, 2:153.5. ⁶³ Ghazzālī, *Ihyā'*, 2:292.2.

⁶⁴ Jayṭālī, *Qanāṭir*, 2:163.15. ⁶⁵ Ghazzālī, *Ihyā'*, 2:304.33.

⁶⁶ Jayṭālī, *Qanāṭir*, 2:175.2 (the context precludes reading *kathīr* for *kabīr*). However, he adds 'God knows best' to Ghazzālī's statement that someone killed in performing the duty is a martyr. ⁶⁷ Ghazzālī, *Ihyā'*, 2:314.5. ⁶⁸ Jayṭālī, *Qanāṭir*, 2:187.4.

rebellions of their coreligionists, but this had never been taken as a reason not to rebel.⁶⁹ To give examples, he says, would make the book too long; but elsewhere he inserts brief references to Ibādī martyrs.⁷⁰

A much more recent account, at least in the form in which we have it, is found in a catechism of 1332/1914.⁷¹ Ghazzālī's influence is again obvious from the formulation of the escalatory sequence of responses.⁷² This apart, two points are noteworthy. One is an unusual rider to the standard view that spying is illegal: someone who learns of an offence by spying has the dual duty of forbidding the offence and repenting of his intrusion.⁷³ The other is a clear distinction between non-verbal manifestations of disapproval (showing one's anger and contempt, frowning, social avoidance) and performance of the duty within one's heart (*bi-qalbihi*).⁷⁴

As might be expected, the Ibādī biographical literature preserves occasional accounts of scholars known for their performance of the duty. When in the first half of the fourth/tenth century a heresy arose over a point of dietary law, Abū Ṣāliḥ Jannūn, a scholar who was given to waxing wroth on behalf of God and to undertaking the righting of wrongs (*taghyīr al-munkar*), took action with a group of his pupils to prevent the heresy from spreading.⁷⁵ A scholar of the second half of the fourth/tenth century, Abū Nūḥ Sa'īd ibn Zanghīl, seems to have engaged in righting wrongs (*taghyīr al-manākir*) as part of the normal pattern of his activity with his pupils.⁷⁶ In the second half of the sixth/twelfth century, both Abū Nūḥ Yūsuf and his son Abū Zakariyyā' Yaḥyā were strong in anger on God's behalf when they engaged in righting wrongs (*inkār al-munkar*).⁷⁷

Before leaving the western Ibādīs, one negative point is worth making. After the Ibādī imamate in North Africa came to an end in 296/909, a

⁶⁹ *Ibid.*, 187.8.

⁷⁰ *Ibid.*, 164.23, 188.3, 188.11. He also refers to stories about Ibādī authorities who had performed the duty nicely (*ibid.*, 178.9); but again, actually telling these stories would make the book too long.

⁷¹ 'Alī ibn Muḥammad al-Mundhirī (writing 1332/1914), *Mukhtaṣar al-Adyān li-ta'īm al-shiyyān*, in I. Aṭṭāyish (ed.), *al-Majmū'a al-qayyima*, Bahlā and Beirut 1989, 280.5, and cf. 253.5. I do not know the identity of the *Adyān* of which this is an epitome (see *ibid.*, 282.9); I take Mundhirī to be a western Ibādī.

⁷² *Ibid.*, 280.8 (for Ghazzālī's levels, see below, ch. 16, 438–41). The material could have come through Jayṭālī (cf. *Qanāṭir*, 172–5), but there is nothing to prove it.

⁷³ Mundhirī, *Mukhtaṣar*, 280.7.

⁷⁴ *Ibid.*, 280.13.

⁷⁵ Darjīnī, *Ṭabaqāt*, 107.7; for the biography of Abū Ṣāliḥ, see *ibid.*, 341–5. For the heresy of the Farthiyya see Lewicki, 'Les subdivisions de l'Ibādīyya', 81.

⁷⁶ Darjīnī, *Ṭabaqāt*, 145.17. For Abū Nūḥ, see *ibid.*, 353. Compare the activity of a gathering of teachers (*mashāyikh*) and pupils (*talāmidha*) in the time of Sulaymān ibn Yakhlaḥ al-Mazātī (Abū Zakariyyā', *Siyyar al-a'imma*, 285.8).

⁷⁷ Darjīnī, *Ṭabaqāt*, 510.2. For other examples, see Shammākhī, *Siyyar*, 1:128.24, 151.10, 163.10, 211.1; 2:24.9, 188.1, 195.23, 201.9, and cf. 92.6; also above, notes 30, 43, 50.

marked institutionalisation of clerical life developed among the North African Ibādīs, sometimes associated with considerable clerical power over the laity; the system is documented from as early as the beginning of the fifth/eleventh century, and in modern times is best known from the form it took in the Mozabite pentapolis.⁷⁸ One might have expected forbidding wrong to have figured prominently in such a context, but in fact this does not seem to have been the case.⁷⁹ A reference to the duty in the oldest extant clerical code is noteworthy in that it makes the righting of wrongs among the disciples of a teacher subject to his authority.⁸⁰

3. THE EASTERN IBĀDĪS

Of the the various eastern Ibādī communities that once existed, only that of Oman succeeded in surviving the centuries. Though more isolated in its region than the western communities, it was also politically more fortunate. Where the western Ibādīs lacked an imamate after the fall of the Rustumid dynasty in 296/909, a comparable trauma in Oman in 280/893 was less final; the Ibādī imamate experienced several subsequent revivals, and finally disappeared a little under half a century ago.

One implication of this for our topic is that the eastern tradition generated, or perhaps simply preserved, a great deal more literature reflecting the inevitable political quarrels that developed around the imamate. In the rather sanctimonious rhetoric of these disputes, forbidding wrong makes quite frequent appearances. An example is an open letter of the third/

⁷⁸ See *EF*², art. ‘Halka’ (T. Lewicki), and, for a more detailed account of the system in the Mozab, S. Faath, *Die Banū Mizāb: Eine religiöse Minderheit in Algerien zwischen Isolation und Integration*, Scheessel 1985, 60–79.

⁷⁹ Aṭṭāyish makes the point that commanding and forbidding are not restricted to scholars (‘*ulamā*’) (*Himyan*, 4:203.18 (to Q3:104)).

⁸⁰ In the code of conduct for students drawn up by Abū ‘Abdallāh Muḥammad ibn Bakr (d. 440/1048f.) (for whom see T. Lewicki, ‘Les historiens, biographes et traditionnistes ibādites–wahabites de l’Afrique du Nord du VIII^e au XVI^e siècle’, *Folia Orientalia*, 3 (1961), 29–31), and preserved by Darjīnī and Barrādī, there is a section devoted to the proper times for doing things. We read here in Darjīnī’s version: ‘The time to right wrongs is when they come to light; it is not restricted to a [particular] time (*waqt taghyīr al-munkar matā zahara, lā yanḥaṣir ilā waqt*). The teacher must take the initiative or give his permission, or someone more suited must take the initiative’ (*wa-yushtaraṭ taqaddum al-shaykh aw bi-idhnihi aw taqaddum al-amthal*) (*Ṭabaqāt*, 182.8). Barrādī’s version reads: *wa-yushtaraṭ fi inkār al-munkar taqdim [sic] al-shaykh aw idhnuhu, wa-waqt inkār-ihi matā zahara, wa-lā yanḥaṣir fi waqt ghayr zubūrihi* (*Jawābir*, 217.7). Darjīnī’s version is translated, and Barrādī’s adduced in a footnote, by Rubinacci in his study of the code (R. Rubinacci, ‘Un antico documento di vita cenobitica musulmana’, in Istituto Universitario Orientale di Napoli, *Annali*, new series, 10 (1960), 76 and n. 319; Rubinacci gives a photographic reproduction of the Cracow manuscript of the *Ṭabaqāt*, which has a text differing slightly from the printed text, see plate I lines 3f.).

ninth-century scholar Abū 'l-Mu'thir al-Ṣalt ibn Khamīs regarding the civil war of the 270s/880s.⁸¹ He describes Mūsā ibn Mūsā (d. 278/891), the scholar behind the deposition of the imam Ṣalt ibn Mālik in 272/886, as claiming to be engaged in forbidding wrong.⁸² This, he says, stirred up the ignorant rabble, including those who loved commanding right but did not know right from wrong.⁸³ As if this was not bad enough, Mūsā's candidate for the imamate, Rāshid ibn al-Naẓr (r. 272–7/886–90), failed to forbid wrong in the matter of the burning of a house belonging to a member of the family of the deposed imam.⁸⁴ Then there was an incident of plundering by Rāshid's forces. If they claimed it was the work of interlopers, they admitted that they had been penetrated by people to whom they could not forbid wrong. They should have shown their disapproval (*inkār*) of the offence and corrected it (*yughayyirūhu*), whoever did it. Indeed Mūsā was asked to do so, but refused on grounds of fear; since he could in fact have done so, his refusal to perform the duty was tantamount to acquiescence.⁸⁵ Other writers of such political pamphlets make similar, if less intensive, use of the language of forbidding wrong.⁸⁶

That the focus on the role of the imam is less marked here than in Zaydism is doubtless a reflection of the difference between Shī'ite and Khārijite conceptions of the relative significance of imam and congregation. Nevertheless eastern Ibādī sources frequently link forbidding wrong and the imamate in the same kind of way as the Zaydīs. Thus Muḥammad ibn Maḥbūb ibn al-Raḥīl (d. 260/873), in a letter to his Ibādī brethren in the west, says that the Muslims should dissociate from an imam who fails to forbid wrong.⁸⁷ Bisyawī, an authority of the fourth/tenth or fifth/eleventh century, identifies the imams as the 'best community' of Q3:110

⁸¹ For Abū 'l-Mu'thir, see *ET*², art. 'Abū 'l-Mu'thir al-Bahlawī' (T. Lewicki). This civil war plays a role in the discussion of religious politics among the Omani scholars comparable to that of the civil war of 35–40/656–61 in Islam generally. It is surprising that it did not lead to a formal and lasting sectarian split in Omani Ibādism.

⁸² Abū 'l-Mu'thir al-Ṣalt ibn Khamīs (third/ninth century), *al-Aḥdāth wa'l-ṣifāt*, in Kāshif, *Siyar*, 1:27.7. ⁸³ *Ibid.*, 28.14. ⁸⁴ *Ibid.*, 48.1.

⁸⁵ *Ibid.*, 52.11, 53.10. Cf. also *ibid.*, 51.3, 52.9, 56.10, 65.8, 81.7, and a further epistle of Abū 'l-Mu'thir, also in Kāshif, *Siyar*, 1:256.14, 261.15.

⁸⁶ See the epistle of Munīr ibn al-Nayyir al-Jalānī upbraiding the imam Ghassān ibn 'Abdallāh (r. 192–207/808–23), *ibid.*, 1:245.17, 246.4, 252.1; that of Abū 'l-Hawārī (*fl.* c. 300/912) to some Ibādīs of Ḥadramawt, *ibid.*, 338.12, 365.11 (for this scholar, see below, note 105); that of Abū Qaḥṭān Khālīd ibn Qaḥṭān (third/ninth century) quoting a letter of Ṣalt ibn Mālik (r. 237–72/851–86), *ibid.*, 128.8, 128.16; that of Qādī Muḥammad ibn 'Īsā al-Sirrī to the imam Rāshid ibn 'Alī (d. 513/1119f.), *ibid.*, 411.1, 417.2.

⁸⁷ Muḥammad ibn Maḥbūb ibn al-Raḥīl (d. 260/873), *Sīra*, in Kāshif, *Siyar*, 2:242.15, and cf. *ibid.*, 261.4, 267.9. In this letter he also lays emphasis on the duty of the scholars and others to forbid wrong to the imams (*ibid.*, 239.10, 240.2, 248.13). For the Zaydī linking of forbidding wrong and the imamate, see above, ch. 10, section 3.

when they command right and forbid wrong.⁸⁸ The duty is readily mentioned in the context of the ‘seller’ (*shārī*) imam, who with his followers (*shurāt*) ‘sells’ himself to God in pursuit of martyrdom.⁸⁹ Thus Abū ‘l-Mu’thir in one of his epistles speaks of the imam who has sold himself to God for the forbidding of wrong.⁹⁰ Likewise a twelfth/eighteenth-century compiler has a chapter on imams who sold themselves (to God) for the righting of wrong (*fī inkār al-munkar*).⁹¹ An abortive rising in the mid-thirteenth/nineteenth century involved no imam, but demonstrates the linkage between forbidding wrong and righteous rebellion. Forty men, against the wishes of their relatives, resolved on ‘selling’ themselves to God, donned shrouds, and went forth to command right and forbid wrong. However, the group went to pieces after they agreed to accept presents sent by the sultan, and they all went home.⁹²

Forbidding wrong was also a standard part of the formula by which allegiance to a new imam was offered and accepted. It features in general juristic prescriptions,⁹³ and in numerous reports relating to particular imams.⁹⁴ The duty also appears in other ways in accounts of the inceptions of imamates. According to Abū ‘l-Mu’thir, when the Muslims prevail, their leaders

⁸⁸ Bisyawī, *Jāmi‘*, 4:192.18. Elsewhere, in a polemic directed against the Rāfiḍa, he argues that their supposed imam cannot in fact be one, since he does not command right and forbid wrong (*Sīra*, in Kāshif, *Siyar*, 2:134.15; cf. above, ch. 10, note 39 on Zaydī polemic against the Imāmīs). For Bisyawī, see below, note 110.

⁸⁹ For this politically activist Ibādī (and broadly Khārījite) conception and its Koranic foundation, see Ennāmi, *Studies*, 231–4.

⁹⁰ Kāshif, *Siyar*, 1:263.7. Compare Muḥammad ibn Maḥbūb, *Sīra*, *ibid.*, 2:243.1, 255.3.

⁹¹ Izkawī (twelfth/eighteenth century), *Kashf al-ghumma*, ms. London, British Library, Or. 8,076, f. 265b.13 (and cf. *ibid.*, f. 279a.20).

⁹² Sālimī, *Tuhfa*, 2:225.19; J. C. Wilkinson, *The Imamate tradition of Oman*, Cambridge 1987, 233. Sālimī’s understanding is that they appointed no imam, and instead reached decisions by consultation (*shūrā*) among themselves (*ibid.*, 226.12); he does not fault this.

⁹³ See, for example, Abū ‘Abdallāh al-Kindī (d. towards 508/1114), *Bayān al-shar‘*, Oman 1982–93, 28:111.4, 111.22, 112.7 (I owe my references to this volume of this work to Patricia Crone); J. C. Wilkinson, ‘The Ibādī *imāma*’, *Bulletin of the School of Oriental and African Studies*, 39 (1976), 539; Wilkinson, *Imamate tradition*, 170 (and cf. also *ibid.*, 159, 177f.).

⁹⁴ I have noted the cases of Wārith ibn Ka‘b (r. 179–92/796–808) (Sālimī, *Tuhfa*, 1:115.1, on the authority of Bisyawī); Muḥannā ibn Jayfar (r. 226–37/841–51) (Kindī, *Bayān*, 28:112.22; Sālimī, *Tuhfa*, 1:150.3); Rāshid ibn al-Walid (second quarter of the fourth/tenth century?) (*ibid.*, 280.21; Izkawī (twelfth/eighteenth century), *Kashf al-ghumma*, ed. A. ‘Ubaydalī, Nicosia 1985, 306.15 (this publication is an edition of select chapters of the *Kashf al-ghumma*, the attribution of which to Izkawī the editor rejects); for this imam, see Wilkinson, *Imamate tradition*, 349 n. 19); Rāshid ibn Sa‘īd (fourth or fifth/tenth or eleventh century) (Kindī, *Bayān*, 28:111.8; Sālimī, *Tuhfa*, 1:304.5; for this imam, see Wilkinson, *Imamate tradition*, 210); Nāṣir ibn Murshid (r. 1034–59/1625–49) (Sālimī, *Tuhfa*, 2:21.20); ‘Azzān ibn Qays (r. 1285–7/1868–70) (*ibid.*, 247.9); Sālim ibn Rāshid al-Kharūṣī (r. 1331–8/1913–20) (Muḥammad ibn ‘Abdallāh al-Sālimī (writing 1380/1961), *Nahḍat al-a‘yān*, Cairo n.d., 152.6, 184.2).

gather and choose as imam the most outstanding of them in – among other things – strength to forbid wrong.⁹⁵ The election of Nāṣir ibn Murshid (r. 1034–59/1625–49), the first Yaʿrubī imam, was the outcome of consultations about the appointment of an imam to command right and forbid wrong.⁹⁶ In 1262/1846 a gathering at Rustāq was to set up an imam who would command right and forbid wrong, but nothing came of it.⁹⁷

Once in office, a new imam acted accordingly. Nāṣir ibn Murshid travelled around the country, receiving the submission of local communities and performing the duty.⁹⁸ When Aḥmad ibn Saʿīd (ruled c. 1167–88/1754–75), the first ruler of the reigning Āl Bū Saʿīd dynasty, had taken office, and all fair-minded people had submitted to him, he proceeded to command right and forbid wrong.⁹⁹ After this initial phase of a reign we tend to hear rather less about forbidding wrong. However, Sulṭān ibn Sayf (r. from 1059/1649 to c. 1091/1680), the second Yaʿrubī imam, is described as not ceasing to command right and forbid wrong till he died.¹⁰⁰ At the same time imams instructed their provincial governors to perform the duty.¹⁰¹ Sending out military expeditions likewise serves the purpose of forbidding wrong.¹⁰² And so on, and so forth.¹⁰³

⁹⁵ Abū ʿl-Muʿthir, *Aḥdāth*, in Kāshif, *Siyar*, 1:77.10.

⁹⁶ Ibn Qaysar (writing 1050/1640), *Sirat al-imām Nāṣir ibn Murshid*, ed. ʿA. Ḥ. al-Qaysī, Oman 1983, 14.18; Izkawī, *Kashf al-ghumma*, ed. ʿUbaydalī, 348.20, and cf. 349.2; Ibn Ruzayq (writing 1274/1857), *al-Fath al-mubīn*, ed. ʿA. ʿĀmir and M. M. ʿAbdallāh, Oman 1977, 262.3, and cf. 262.7 (for which see also his *al-Shuʿāʾ al-shāʿi*, ed. ʿA. ʿĀmir, Cairo 1978, 204.7); Sālimī, *Tuhfa*, 2:3.11.

⁹⁷ Ibn Ruzayq, *Fath*, 548.14 (and see Sālimī, *Tuhfa*, 2:218.6). For this incident, see also R. G. Landen, *Oman since 1856*, Princeton 1967, 70 n. 37; Wilkinson, ‘The Ibādī *imāma*’, 543; Wilkinson, *Imamate tradition*, 172. Ibn Ruzayq’s turn of phrase here is noteworthy; he does not speak of *al-amr biʾl-maʿrūf* in his account of those Āl Bū Saʿīd rulers who were not imams.

⁹⁸ Ibn Ruzayq, *Fath*, 265.9 (Nizwā), 265.23 (Manḥ), 266.4 (Samad al-Shaʿn).

⁹⁹ *Ibid.*, 364.10.

¹⁰⁰ *Ibid.*, 292.2; Ibn Ruzayq, *Shuʿāʾ*, 258.1. The same is said of Wārith ibn Kaʿb (*ibid.*, 33.9), while ʿAbd al-Malik ibn Humayd (r. 207–26/823–41) continued until he became too old and decrepit (*ibid.*, 38.8). Ibn Ruzayq also associates *al-amr biʾl-maʿrūf* with other imams (*Shuʿāʾ*, 39.4, 82.16, 267.18), and includes it in a general statement about the just imam (*ibid.*, 10.10).

¹⁰¹ Sālimī, *Tuhfa*, 1:184.5 (imam Ṣalt ibn Mālik); *ibid.*, 309.18 (imam Rāshid ibn Saʿīd); Ibn Qaysar, *Sira*, 49.2, 64.2, and Sālimī, *Tuhfa*, 2:27.7, 27.17, 30.2, 30.14, 32.14, 33.2, 33.20, 34.18 (imam Nāṣir ibn Murshid); Ibn Ruzayq, *Fath*, 291.5, and Sālimī, *Tuhfa*, 2:49.3 (imam Sulṭān ibn Sayf); Muḥammad al-Sālimī, *Nahḍa*, 267.6, 267.18 (imam Kharūṣī); and cf. *ibid.*, 432.17, 434.6 (imam Khalīlī (r. 1338–73/1920–54) in appointments of *qāḍīs*).

¹⁰² See Sālimī, *Tuhfa*, 1:249.10, in a quotation from Abū ʿl-Hawārī. Cf. also *ibid.*, 317.19.

¹⁰³ For further material, see *ibid.*, 2:23.21, 176.12, 223.3, 230.18, 250.2; Muḥammad al-Sālimī, *Nahḍa*, 169.9, 179.14. In an aberration induced by the diplomatic history of the last imamate, imam Khalīlī in a letter written shortly before his death to the king of Saudi Arabia expresses his hope that God will include the king among those who command right and forbid wrong under the terms of Q22:41 (*ibid.*, 443.4; the letter is not free of modern political diction).

The great bulk of the Omani material on forbidding wrong is, however, juristic in nature. The older material consists of collections of the opinions of jurists on specific questions; where these authorities are named and known, they are often scholars of the third/ninth century. Some of these opinions relate to the duties of those in authority, particularly imams, some to the duties of ordinary Muslims, and much is of unclear reference. Such material is preserved in a number of compilations, of which I have used four. The first is ascribed to Faḍl ibn al-Ḥawārī (d. 278/892),¹⁰⁴ the second to Abū ʿl-Ḥawārī Muḥammad ibn al-Ḥawārī (fl. c. 300/912),¹⁰⁵ the third to Abū ʿAbdallāh al-Kindī (d. towards 508/1114)¹⁰⁶ and the fourth to Abū Bakr al-Kindī (d. c. 557/1161).¹⁰⁷ Accounts of forbidding wrong in works by individual authors first appear with scholars of the fourth or fifth/tenth or eleventh century: Ibn Baraka,¹⁰⁸

¹⁰⁴ Faḍl ibn al-Ḥawārī (d. 278/892), *Jāmiʿ*, Oman 1985, 3:190–228 (all my references are to the third and last volume; I am indebted to Lesley Wilkins for procuring me a copy of this work). As with many recent publications of eastern Ibadī texts, including most of those used in this study, the work is printed, not edited; there is no introduction, and the state of the text leaves a lot to be desired. The work as now constituted cannot have been compiled by Faḍl ibn al-Ḥawārī, since on occasion it refers back to the time of the imam Rāshid ibn Saʿīd (*ibid.*, 191.16, 193.3, cf. above, note 94; it also cites a responsum of Abū ʿl-Ḥawārī, *ibid.*, 225.12, 227.15). For Faḍl ibn al-Ḥawārī, see Wilkinson, *Imamate tradition*, 209. His death date seems to be secure; but in general, the reader should be aware that there is often great uncertainty as to the dating of Omani scholars.

¹⁰⁵ Abū ʿl-Ḥawārī Muḥammad ibn al-Ḥawārī (fl. c. 300/912), *Jāmiʿ*, Oman 1985, 1:127–31 (all my references are to the first of the five volumes; again, I am indebted to Lesley Wilkins for procuring me a copy of this work). For Abū ʿl-Ḥawārī, see Wilkinson, *Imamate tradition*, 189, 196. But here again, the compiler cannot be Abū ʿl-Ḥawārī. The first discussion in the work opens with the words *min al-kitāb al-mansūb ilā Abī ʿl-Ḥawārī (Jāmiʿ*, 11.5), and later the compiler adduces the views of Abū ʿl-Ḥasan (*ibid.*, 16.16) and Abū Saʿīd (*ibid.*, 23.12); the former is to be identified with Abū ʿl-Ḥasan al-Bisyawī, and the latter with Abū Saʿīd al-Kudamī – both scholars who seem to have lived in the fourth/tenth or fifth/eleventh century (see below, notes 109f.). In any case, the chapter on *al-amr biʿl-maʿrūf* is described as an addendum (*min al-iḍāfa ilā ʿl-kitāb, ibid.*, 127.2).

¹⁰⁶ Kindī, *Bayān*, 29:7–98 (apart from the references given above, notes 93f., all references to ‘Kindī, *Bayān*’ are to the twenty-ninth volume of this work; I am grateful to Khaled Abou El Fadl for lending me his copy). For this work, see G. R. Smith, ‘The Omani manuscript collection at Muscat’, *Arabian Studies*, 4 (1978), 166–9. Here too, the identity of the work is somewhat problematic; the compiler refers several times to the *Bayān al-sharʿ* as the source from which he draws (Kindī, *Bayān*, 16.7, 16.9, 16.16, 70.1), and at one point (*ibid.*, 69.12) he quotes from the supposedly later *Muṣannaf* (for this work see the next note).

¹⁰⁷ Abū Bakr al-Kindī (d. c. 557/1161), *Muṣannaf*, Cairo and Maṭraḥ 1979–84, 12:5–80 (all my references to ‘Abū Bakr al-Kindī, *Muṣannaf*’ are to the twelfth volume of this work). For this work, see Smith, ‘The Omani manuscript collection at Muscat’, 163–6. While the ascription may be sounder than in the previous cases, it is not unproblematic: at one point a certain Muḥammad (ibn) ʿAbd al-Salām is quoted for an event that took place in Nizwā in 886/1481f. (Abū Bakr al-Kindī, *Muṣannaf*, 39.3), and the same authority is also quoted elsewhere (*ibid.*, 32.18, 56.14, 59.15).

¹⁰⁸ Ibn Baraka (fourth/tenth century), *Jāmiʿ*, ed. ʿI. Y. al-Bārūnī, Oman 1971–3, 1:180–4

Kudamī¹⁰⁹ and Bisyawī.¹¹⁰ The later authorities whose discussions of the duty are available to me are Shaqṣī (*fl. c.* 1034/1625),¹¹¹ Khalīlī (d. 1287/1871)¹¹² and Sālimī (d. 1332/1914).¹¹³

The picture given by the early sources of the wrongs that concerned Ibādī jurists is a rich one, but in large part it is already familiar from the repertoires of other sects and schools. There is the usual matter of liquor; thus action should be taken against those who gather to drink, including women who do so.¹¹⁴ The same goes for those who gather to make music, men and women;¹¹⁵ as will be seen, various instruments are considered, not to mention singing.¹¹⁶ There is a measure of local colour in the attention

(all my references are to this first volume). On Ibn Baraka see *EP*², art. 'Ibn Baraka' (T. Lewicki), and J. C. Wilkinson, 'Bio-bibliographical background to the crisis period in the Ibādī Imāmate of Oman', *Arabian Studies*, 3 (1976), 151f. Both date him to the fourth/tenth century, as do Crone and Zimmermann in their forthcoming study.

¹⁰⁹ Kudamī (fourth/tenth century), *Mu'tabar*, Ruwī 1984, 2:211–13 (I owe my xerox of this text to Wafā Al-Zaid, and have not seen the work itself). For Kudamī, see Wilkinson, 'Bio-bibliographical background', 147f. (but note that Darjīnī in the passage referred to indirectly by Wilkinson (*Ṭabaqāt*, 2:445.3) does not in fact mention Abū Sa'īd al-'Umānī); J. C. Wilkinson, 'The Omani manuscript collection at Muscat', *Arabian Studies*, 4 (1978), 196, assigning him to the fourth/tenth and early fifth/eleventh century. In dating him to the fourth/tenth century I follow Crone and Zimmermann in their forthcoming study.

¹¹⁰ Bisyawī, *Jāmi'*, 4:184–93 (all my references are to this volume); Bisyawī, *Mukhtaṣar*, Oman n.d., 275–7; also his *Sira*, in Kāshif, *Siyar*, 2:146–74. For Bisyawī or Bisyanī, see Wilkinson, 'Bio-bibliographical background', 152, dating him to the fifth/eleventh century; Crone and Zimmermann in their forthcoming study redte him to the fourth/tenth century.

¹¹¹ Shaqṣī (*fl. c.* 1034/1625), *Manhaj al-tālibīn*, Cairo and Muscat c. 1979–, 8:6–39 (all my references are to this eighth volume). For Shaqṣī see Wilkinson, 'Bio-bibliographical background', 144.

¹¹² Khalīlī (d. 1287/1871), *Tamhīd qawā'id al-īmān*, Oman 1986–7, 7:5–77 (all my references are to this seventh volume of the work, which I cite only for points of particular interest). I owe my knowledge of this work to Joachim Düster. The chapter on *al-amr bi'l-ma'rūf* begins and ends with responsa of Khalīlī (*ibid.*, 5–28, 72–7). In between we find a long extract from a *Kitāb ighāthat al-malhūf bi'l-sayf al-mudhakkār* (read so) *fī 'l-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar* (*ibid.*, 29–72); this is doubtless the epistle of Khalīlī mentioned by the younger Sālimī with the title *al-Sayf al-mudhakkār fī 'l-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar* (Muhammad al-Sālimī, *Nahḍa*, 331.19). Sa'īd ibn Khalfān al-Khalīlī was the major figure in the religious movement in the interior of Oman that issued in the imamate of 'Azzān ibn Qays.

¹¹³ Sālimī (d. 1332/1914), *Jawhar al-Niẓām*, Cairo 1381, 487–93 (the relevant material is actually at 487–9). The work is a revised version of a twelfth/eighteenth-century work (see *ibid.*, 2.11, 3.5). I owe my copy of this text to Patricia Crone.

¹¹⁴ Faḍl, *Jāmi'*, 192.9; Kindī, *Bayān*, 34.20, 97.7; Abū Bakr al-Kindī, *Muṣannaf*, 69.3. For women, see Kindī, *Bayān*, 81.12; Abū Bakr al-Kindī, *Muṣannaf*, 33.3, 72.1, 148.8. But there would seem to be nothing wrong with women innocently gathering and sitting together in the street (Kindī, *Bayān*, 38.8).

¹¹⁵ Faḍl, *Jāmi'*, 218.4; Abū 'l-Ḥawārī, *Jāmi'*, 129.11; Kindī, *Bayān*, 50.15; Abū Bakr al-Kindī, *Muṣannaf*, 64.12; Shaqṣī, *Manhaj*, 20.3.

¹¹⁶ Kindī, *Bayān*, 57.9 (classifying singing as a grave sin), 58.14, 79.18; Abū Bakr al-Kindī, *Muṣannaf*, 58.3, 60.5.

given to African and Indian music (*laʿb al-Zanj waʿl-Hind*).¹¹⁷ As often, puritanism is as much opposed to uninhibited grief as to uninhibited pleasure, and the behaviour of women in mourning appears repeatedly as a target of the duty.¹¹⁸ Another kind of shrieking (*zuʿāq*) that meets with disapproval seems to be practised by men, particularly in warfare.¹¹⁹ Various practices of non-Ibādīs constitute wrongs to be righted,¹²⁰ and so forth; as Shaqṣī observes, it would take too long to go into it all.¹²¹

It is noteworthy that the attitudes of the jurists are not uniformly hard-line in all these matters. The single most prominent motive behind the softer views is military. One jurist who considers playing chess a grave sin allows it when the object is instruction in military strategy.¹²² Another describes male shrieking as a wrong and a residue of the Jāhiliyya, but relents when asked to consider it as a war-cry intended to rally the troops and strike fear into the enemy; he expresses the hope that it may then be permitted, though his preference would be for the use of the Islamic war-cry ‘God is greatest!’¹²³ Likewise Muḥammad ibn Maḥbūb permitted the Ḥaḍramīs to use a certain kind of drum (the *dubra*)¹²⁴ for military pur-

¹¹⁷ Faḍl, *Jāmiʿ*, 218.13 (for *al-riḥl* read *al-Zanj*); Abū ʿl-Ḥawārī, *Jāmiʿ*, 129.18; Kindī, *Bayān*, 50.21, and cf. 42.21; Abū Bakr al-Kindī, *Muṣannaf*, 66.14.

¹¹⁸ Faḍl, *Jāmiʿ*, 194.5, 196.1; Abū ʿl-Ḥawārī, *Jāmiʿ*, 128.14, 130.18, 132.17 (the latter two passages mention both men and women); Kindī, *Bayān*, 33.8, 77.4; Abū Bakr al-Kindī, *Muṣannaf*, 30.9, 33.3, 58.6; Shaqṣī, *Manhaj*, 11.15, 22.5. One of the early Ibādī imams of Ḥaḍramawt used to send even free women to prison for such conduct (Faḍl, *Jāmiʿ*, 194.10; Kindī, *Bayān*, 77.15; Abū Bakr al-Kindī, *Muṣannaf*, 59.2). A later Ḥaḍramī imam includes *nawḥ al-nāʾiḥāt* among the various wrongs he is committed to banning (Abū Ishāq Ibrāhīm ibn Qays (fifth/eleventh century), *Dirwān al-sayf al-naqqād*, ed. Sulaymān al-Bārūnī, n.p. n.d., 12.16 (cf. 2.14 of Bārūnī’s introduction); for this imam, see Wilkinson, ‘Bio-bibliographical background’, 152f.). The terms most frequently used in these contexts are *nawḥ* and *ṣurākḥ*, but for a narrow definition of *nawḥ*, see Kindī, *Bayān*, 77.11, 81.16.

¹¹⁹ Faḍl, *Jāmiʿ*, 190.12; Kindī, *Bayān*, 37.20; Abū Bakr al-Kindī, *Muṣannaf*, 61.2, 61.14; Shaqṣī, *Manhaj*, 22.5.

¹²⁰ An example is the practice of *qunūt* in prayer by non-Ibādī Muslims (Faḍl, *Jāmiʿ*, 228.4; Kindī, *Bayān*, 67.3; Abū Bakr al-Kindī, *Muṣannaf*, 43.8; Shaqṣī, *Manhaj*, 17.10; cf. above, note 43). More generally, Ibn Baraka is of the view that one may not sit in the gatherings of proponents of a heresy (*bidʿa ʿan aḥad ahl al-madhāhib*) except with the purpose of engaging in disputation with them, and with the expectation of some success in converting them (*Jāmiʿ*, 182.9, whence Kindī, *Bayān*, 26.6, and Abū Bakr al-Kindī, *Muṣannaf*, 66.4).¹²¹ Shaqṣī, *Manhaj*, 12.8.

¹²² Kindī, *Bayān*, 48.11, and cf. 57.17, 58.9; Abū Bakr al-Kindī, *Muṣannaf*, 63.16. Reference is made to the Shāfiʿite view (Kindī, *Bayān*, 58.3; Abū Bakr al-Kindī, *Muṣannaf*, 64.4; cf. above, ch. 6, note 151, and, for the military motive in particular, Wieber, *Schachspiel*, 189f.). The jurist in question, Abū ʿl-Qāsim Saʿīd ibn Quraysh, must have been a figure of the later fourth/tenth century or so, if he is the father of the *qāḍī* Ḥasan ibn Saʿīd ibn Quraysh who was present at the writing of a letter in 443/1052 (Sālimī, *Tuhfa*, 1:313.8).

¹²³ Faḍl, *Jāmiʿ*, 190.12; Kindī, *Bayān*, 37.20; Abū Bakr al-Kindī, *Muṣannaf*, 61.2 (with ascription to Kudamī); Shaqṣī, *Manhaj*, 22.5.

¹²⁴ It is defined by Shaqṣī as a small, long drum (*ṭabl ṣagḥir ṭawīl*, *Manhaj*, 20.9). As pointed out to me by Shohreh Gholsorkhi, this is most likely to be an Iranian loan-word (cf.

poses.¹²⁵ Such use of the instrument was, however, a controversial matter, as reports relating to the reign of imam Muḥannā ibn Jayfār (r. 226–37/841–51) make clear. One jurist recollects that in the coastal city of Ṣuḥār, Maṭṭār and his men had not been prevented from use of this drum, and he wonders what the doctrine of the scholars concerned can have been;¹²⁶ we know from elsewhere that this Maṭṭār and his men were Indians, a military force which the imam maintained in Ṣuḥār.¹²⁷ Another jurist states that a certain Abū 'l-Ḥawārī al-Ma'nī used to object to the Indian who beat the drum in the camp (sc. at Nizwā in the Omani interior), and distanced himself from the imam in consequence.¹²⁸ More striking than any of this is the discussion of the question whether the imam may overlook the misdeeds of his own followers in wartime; one view accepts this concession, the other rejects it.¹²⁹ The emphasis on military efficacy is doubtless linked to the resilience of the imamate in Oman.

Accommodating views can also be inspired by less martial considerations. To take the case of musical instruments, the jurists will consider – though not necessarily adopt – a kinder view of an instrument if it meets one or more of the following criteria: it is not actually being played;¹³⁰ it is being played without the accompaniment of singing, revelry or partying;¹³¹ it could in principle be used for some legitimate purpose;¹³² it is being used by children at play rather than by adults.¹³³ They also look more favourably (or less disfavourably) on some instruments than on others.¹³⁴ The results are complex, and the jurists frequently disagree, but a couple

Persian *dubul*), though given the association of the instrument with Indians in our texts, it is worth noting that it is also widely represented in Indo-Aryan languages (see R. L. Turner, *A comparative dictionary of the Indo-Aryan languages*, London 1966, 318 no. 5,608).

¹²⁵ See Faḍl, *Jāmi'*, 221.14; Kindī, *Bayān*, 51.19, 58.17; Abū Bakr al-Kindī, *Muṣannaf*, 56.18; cf. also Faḍl, *Jāmi'*, 222.2, 226.9; Kindī, *Bayān*, 43.1, 46.15, 50.1, 52.1; Abū Bakr al-Kindī, *Muṣannaf*, 61.6, 63.2; Shaqṣī, *Manhaj*, 20.18, 22.7.

¹²⁶ Faḍl, *Jāmi'*, 218.13; Abū 'l-Ḥawārī, *Jāmi'*, 129.19; Kindī, *Bayān*, 50.21; Abū Bakr al-Kindī, *Muṣannaf*, 66.14. Two of the three scholars mentioned here, Sulaymān ibn al-Ḥakam and Waḍḍāḥ ibn 'Uqba, are included by Abū 'l-Mu'thir in a list of scholars contemporary with Muḥammad ibn Maḥbūb (Kāshif, *Siyar*, 1:24.13); for the third, Mūsā ibn 'Alī (d. 230/844), see Wilkinson, *Imamate tradition*, 154f.

¹²⁷ See Izkawī, *Kashf al-ghumma*, ed. 'Ubaydalī, 262.5, and the editor's n. 2 thereto.

¹²⁸ Faḍl, *Jāmi'*, 219.3; Abū 'l-Ḥawārī, *Jāmi'*, 130.4; Kindī, *Bayān*, 51.4. ¹²⁹ *Ibid.*, 41.2.

¹³⁰ See, for example, *ibid.*, 47.9, 49.11, 51.13.

¹³¹ See, for example, *ibid.*, 47.16, 50.16, 56.3 (singing); 47.13, 50.15, 55.6 (revelry and partying).

¹³² See, for example, *ibid.*, 51.7, 56.16, 58.11.

¹³³ Faḍl, *Jāmi'*, 209.10; Kindī, *Bayān*, 51.15 (but cf. 51.11, 98.2); Abū Bakr al-Kindī, *Muṣannaf*, 63.10, 80.10.

¹³⁴ One of the instruments they dislike most is the *zammāra*, a wind-instrument which is to be destroyed in all circumstances, even if the owner is all alone (see, for example, Kindī, *Bayān*, 50.19).

of examples will serve to illustrate their attitudes. They have a soft spot for a large and mournful pipe of some kind (the *qaṣaba kabīra*), considering it permissible to listen to its music – provided this is not accompanied by singing and partying – in order to focus one’s thoughts on death and the next world; one third/ninth-century scholar saw his father listen and weep.¹³⁵ On a somewhat more cheerful note, some jurists are prepared to allow the tambourine provided it is not associated with revelry,¹³⁶ though others are unrelenting.¹³⁷ One view here is that it is acceptable to strike it once or twice – but not more – in order to publicise a wedding.¹³⁸ Similar complexities arise with regard to vessels that contain – or are denied to contain, or formerly contained, or may in future contain – liquor.¹³⁹ Altogether, the Ibādī scholars should probably not be thought of as in principle more puritanical than any others; their attitude to joking was perhaps a little more liberal than Ghazzālī’s.¹⁴⁰

Who is supposed to deal with all these offences? Here the role of the authorities bulks large. The duty divides into two parts: that which obligates people in general (*al-kāffā*) in so far as they are able to undertake it, and that which obligates the imams of justice and their officers (*umarāʾ*) to the exclusion of the people at large (*al-ʿamma*).¹⁴¹ In the context of the ‘three modes’ tradition, one jurist remarks that the ‘hand’ of the imam extends further than that of anyone else.¹⁴² Likewise the imams and their officers are described as singled out (*makhṣūṣūn*) to undertake the duty.¹⁴³ There are also indications that the imams may have had followers whose business it was to execute it. The ‘sellers’ (*shurāt*), who were in principle political activists who had sold themselves to God in pursuit of martyrdom, may in practice have tended to degenerate into a rather disorderly tribal militia;¹⁴⁴ but they also appear to have had some role in policing Ibādī

¹³⁵ Faḡl, *Jāmiʿ*, 218.10; Abū ʿl-Ḥawārī, *Jāmiʿ*, 129.18; Kindī, *Bayān*, 55.15; Abū Bakr al-Kindī, *Muṣannaf*, 64.14. The son, Ziyād ibn al-Waḡḡāh, was a contemporary of Muḥammad ibn Maḥbūb (he is mentioned in the list cited above, note 126).

¹³⁶ Faḡl, *Jāmiʿ*, 220.16, 221.6, 225.5; Kindī, *Bayān*, 48.16, 49.1; and cf. Shaqṣī, *Manhaj*, 20.13.

¹³⁷ Faḡl, *Jāmiʿ*, 219.11, 221.10, 226.2; Abū ʿl-Ḥawārī, *Jāmiʿ*, 128.20, 129.5; Kindī, *Bayān*, 48.1, 49.4; Abū Bakr al-Kindī, *Muṣannaf*, 55.17; Shaqṣī, *Manhaj*, 20.15.

¹³⁸ Abū Bakr al-Kindī, *Muṣannaf*, 56.4, and cf. 55.11.

¹³⁹ See, for example, Kindī, *Bayān*, 93–8.

¹⁴⁰ Abū Bakr al-Kindī, *Muṣannaf*, 68.5; cf. below, ch. 16, 445.

¹⁴¹ See Faḡl, *Jāmiʿ*, 197.4 (corrupt), and Abū Bakr al-Kindī, *Muṣannaf*, 23.4, from Abū ʿl-Mundhir Bashīr ibn Muḥammad ibn Maḥbūb (*fl.* late third/ninth century, see Wilkinson, *Imamate tradition*, 190, 191); also Shaqṣī, *Manhaj*, 6.7.

¹⁴² Faḡl, *Jāmiʿ*, 209.5 (*yad al-imām absaʿ min yad ghayrihi*). This is from Abū Muḥammad, i.e. Ibn Baraka. ¹⁴³ Kindī, *Bayān*, 32.17; Abū Bakr al-Kindī, *Muṣannaf*, 24.11.

¹⁴⁴ Wilkinson, *Imamate tradition*, 184f.

society.¹⁴⁵ A passage concerned with the offence of unsheathing arms in the market-place or street mentions that it is a particularly grave matter if a man does so against ‘sellers’ who are commanding him right and forbidding him wrong.¹⁴⁶ Very often, however, it is simply unclear whether the jurists, in speaking of the performance of the duty, have in mind those in authority or others.¹⁴⁷

Much of what the jurists have to say about the duty of ordinary people is familiar and unsurprising; for example, the ‘three modes’ doctrine is well established.¹⁴⁸ It will be more rewarding here to leave aside the gentler end of the spectrum – white lies calculated to make the offender desist,¹⁴⁹ scowling¹⁵⁰ and the like – and concentrate on performance involving action. Here individuals cannot, of course, inflict punishment, though Kudamī allows that in exceptional cases they may achieve a recognition that entitles them to do this.¹⁵¹ He goes on to say that individuals have a duty to right wrongs in any way they can, and that since there cannot in principle be a limit to this, it may extend to beating and fighting.¹⁵² This activism is not isolated. We learn that a significant duty of ordinary people (*al-kāffā*) is to come to the aid of those seeking it, whether they are commanded to give this assistance by the imams or not; if the authorities are to hand, well and good, but if not, and if the wrongdoers will not desist unless they are fought (*illā bi-jihādihim*), then people have the right to

¹⁴⁵ From an account of an event of 886/1481f. (see above, note 107) we learn that the *shurāt* had such a role in Nizwā at that time (Abū Bakr al-Kindī, *Muṣannaf*, 39.5).

¹⁴⁶ Kindī, *Bayān*, 196.7; Abū Bakr al-Kindī, *Muṣannaf*, 85.10; cf. also Faḍl, *Jāmiʿ*, 191.9 (for *al-shirk* read *al-shirāʾ*), 223.12, 227.3; Kindī, *Bayān*, 56.3, 93.3, 93.8; Abū Bakr al-Kindī, *Muṣannaf*, 22.4, 30.1, 63.5, 74.10; Shaqṣī, *Manhaj*, 6.7, 14.9, 27.1. There are other references to persons undertaking the duty which are suggestive of official functionaries (Kindī, *Bayān*, 87.20; Abū Bakr al-Kindī, *Muṣannaf*, 30.5, 40.6, 149.1; and cf. Bisyawī, *Mukhtaṣar*, 275.21, 276.19). However, the term *muṭawwaʿ* does not appear in the texts I have used, though it seems to have been in common use around the time of the imamate of ʿAzzān ibn Qays (r. 1285–7/1868–70) (see Sālimī, *Tuhfa*, 2:225.16 (where the term is explained as meaning a pietist); Wilkinson, *Imamate tradition*, 232f., 237, 242; Landen, *Oman*, 297f., 308f.; J. G. Lorimer, *Gazetteer of the Persian Gulf*, Calcutta 1908–15, 1:2374f.).

¹⁴⁷ See, for example, Abū Bakr al-Kindī, *Muṣannaf*, 79.2 (not a trivial ambiguity, since it relates to raiding homes).

¹⁴⁸ Abū ʿl-Ḥawārī, *Jāmiʿ*, 127.7 (from a responsum of Abū ʿl-Ḥawārī); Kindī, *Bayān*, 12.3, 22.11; Abū Bakr al-Kindī, *Muṣannaf*, 28.3 (and cf. 22.10); Bisyawī, *Jāmiʿ*, 190.1 (but with a twist for which see below, notes 180, 209); Bisyawī, *Mukhtaṣar*, 276.12; Kudamī, *Muʿtabar*, 211.18; and cf. Abū ʿl-Muʿthir al-Ṣalt ibn Khamīs (third/ninth century), *Sīra*, in *Kāshif*, *Siyar*, 2:317.14. The ‘three modes’ tradition is likewise known to the Ibādīs (Faḍl, *Jāmiʿ*, 209.3; Kindī, *Bayān*, 17.14; Abū Bakr al-Kindī, *Muṣannaf*, 22.7).

¹⁴⁹ Kindī, *Bayān*, 17.5; Abū Bakr al-Kindī, *Muṣannaf*, 30.12; Shaqṣī, *Manhaj*, 14.12.

¹⁵⁰ Abū Bakr al-Kindī, *Muṣannaf*, 20.3. ¹⁵¹ Kindī, *Bayān*, 23.14. ¹⁵² *Ibid.*, 23.19.

fight them.¹⁵³ Curiously, and in contrast to the western Ibādīs, there is no explicit mention of the sword.¹⁵⁴

Much of the action prescribed or described is less drastic than this. A contemporary of Muḥammad ibn Maḥbūb drives away a female mourner (*bākīya*) at a funeral.¹⁵⁵ We likewise find individuals engaged in such standard activities as pouring out liquor and breaking musical instruments. Two scholars of the third/ninth century hold that subjects (*raʿīyya*) may take such action in the absence of an imam when the nuisances in question directly affect them.¹⁵⁶ In one anecdote we are told that a man was walking in the market of Ṣuḥār, and saw someone with a drum (*dubr*); he broke it, whereupon the owner reported him to Muḥammad ibn Maḥbūb, who merely ordered him to return the fragments.¹⁵⁷ We also encounter more intrusive responses. Thus a jurist states that there is disagreement on the question whether a man who hears of a drinking party in a home may enter it without asking leave; but he himself seems to favour the hard-line view of the question, for he goes on to say that one may climb over the wall if denied leave to enter, though one should not damage the wall.¹⁵⁸

There is also a more accommodationist strain in evidence among the jurists – to a surprising extent the same ones. In this view, that part of the duty which is incumbent on the authorities may be performed by ordinary people (*al-ʿamma*) only by way of counselling (*mawʿiza*) and talk of hell-fire.¹⁵⁹ Whereas the imams and their officers are singled out for the duty, subjects are obliged only to counsel people.¹⁶⁰ In the absence of imams, the duty of the Muslims regarding such wrongs is to give good counsel (*al-mawʿiza al-ḥasana*, cf. Q16:125),¹⁶¹ but when the imams are there, the

¹⁵³ Faḍl, *Jāmiʿ*, 197.8 (for *juhūl* read *jihād* in lines 13 and 18); Kindī, *Bayān*, 31.19; Abū Bakr al-Kindī, *Muṣannaf*, 23.9 (from Bashīr); Shaqṣī, *Manhaj*, 9.4, and cf. 16.2; also Bisyawī, *Mukhtaṣar*, 275.16, 276.2. ¹⁵⁴ Cf. above, 400.

¹⁵⁵ Kindī, *Bayān*, 78.20.

¹⁵⁶ Faḍl, *Jāmiʿ*, 222.16 (from Muḥammad ibn Maḥbūb and – I think – his son Bashīr); *ibid.*, 202.3 (from Bashīr?); Kindī, *Bayān*, 52.5 (from Bashīr); and cf. *ibid.*, 35.7; Abū Bakr al-Kindī, *Muṣannaf*, 26.13.

¹⁵⁷ Faḍl, *Jāmiʿ*, 226.14; Kindī, *Bayān*, 50.6; Abū Bakr al-Kindī, *Muṣannaf*, 57.8. Muḥammad ibn Maḥbūb was *qāḍī* of Ṣuḥār (Sālimī, *Tuhfa*, 163.18).

¹⁵⁸ Abū Bakr al-Kindī, *Muṣannaf*, 78.11 (from a certain Ḥasan ibn Aḥmad), and cf. the parallel in Kindī, *Bayān*, 85.1. On the question of raiding people's homes, see below, 417f.

¹⁵⁹ Faḍl, *Jāmiʿ*, 197.7 (from Bashīr; read *illā bi'l-mawʿiza*); Kindī, *Bayān*, 31.17; Abū Bakr al-Kindī, *Muṣannaf*, 23.7 (from Bashīr); Shaqṣī, *Manhaj*, 11.3. Compare Bisyawī's statement that performance which requires the use of the hand and the infliction of punishment is for the authorities (*al-ḥākim wa'l-quwwām bi'l-ḥaqq*) whereas counselling and talk of hell-fire is for the Muslims in general (*Mukhtaṣar*, 275.21).

¹⁶⁰ Faḍl, *Jāmiʿ*, 198.12 (from Bashīr?); Kindī, *Bayān*, 32.17; Abū Bakr al-Kindī, *Muṣannaf*, 24.11 (from Bashīr?).

¹⁶¹ Faḍl, *Jāmiʿ*, 201.3; Kindī, *Bayān*, 34.13; Abū Bakr al-Kindī, *Muṣannaf*, 26.1.

matter should be made over to them.¹⁶² We likewise encounter the view that it is not for subjects to beat people: if an offender will only stop when beaten, then this is a matter for the authorities.¹⁶³ There is even the view of Muḥammad ibn Maḥbūb that you have no right to break musical instruments; instead you should refer the matter to the authorities (*ulū 'l-amr*) so that they can punish the offender.¹⁶⁴

Just who are the ordinary people we have been talking about? Here the Ibādī jurists raise two rather unusual questions. The first concerns the ‘people of prayer’ (*ahl al-ṣalāt*) – in other words, those we would call Muslims, whether Ibādī or non-Ibādī, as opposed to the ‘Muslims’ proper, whom we would call Ibādīs.¹⁶⁵ According to one third/ninth-century jurist, the form of the duty that obligates all is likewise incumbent on all the ‘people of prayer’ (one consequence of this is that one may under certain conditions seek aid from an unjust non-Ibādī ruler against other non-Ibādīs, since all of them are obligated).¹⁶⁶ I have not seen comparable Sunnī or Shīʿite discussions.

The second question concerns the performance of the duty by women – an obvious but often neglected issue in discussions of forbidding wrong. Here the position of Muḥammad ibn Maḥbūb is unbendingly negative. It is his view that forbidding wrong is not a universal obligation (*laysa bi-farḍ alā kull*), and his proof is that if it were one, it would obligate women.¹⁶⁷ The exclusion of women from obligation is thus a premise, not a conclusion. He likewise states that a woman is obligated to perform the duty in her heart, but not with her tongue.¹⁶⁸ At the other extreme we have the position of Ibn Baraka, who takes the view that the righting of wrongs is a duty incumbent on whoever can discharge it, man or woman; women should sally forth to perform it just as men do (*an yakbruja ilayhi ka-mā yakhruj al-rijāl*).¹⁶⁹ Kudamī, though less sweeping than Muḥammad ibn

¹⁶² Faḍl, *Jāmiʿ*, 201.18; Kindī, *Bayān*, 32.1. Likewise there is no harm in reporting to the authorities a man seen in suspicious circumstance (*ibid.*, 24.3).

¹⁶³ Abū 'l-Ḥawārī, *Jāmiʿ*, 127.19 (from a responsum of Abū 'l-Ḥawārī); Kindī, *Bayān*, 23.2, 35.15 (from Ibn Baraka). Contrast the view of Bashīr that subjects are not to take it upon themselves to beat people unless this is the only way to stop them (Abū Bakr al-Kindī, *Muṣannaf*, 29.2; and cf. Faḍl, *Jāmiʿ*, 202.5; Kindī, *Bayān*, 35.12).

¹⁶⁴ *Ibid.*, 48.18; Abū Bakr al-Kindī, *Muṣannaf*, 54.13.

¹⁶⁵ The term *ahl al-ṣalāt* thus includes *ahl al-khilāf* and *qawmunā* (cf. above, notes 42, 44).

¹⁶⁶ Faḍl, *Jāmiʿ*, 198.4; Kindī, *Bayān*, 32.9; Abū Bakr al-Kindī, *Muṣannaf*, 24.3 (from Bashīr); also Shaqṣī, *Manhaj*, 9.12.

¹⁶⁷ Abū Bakr al-Kindī, *Muṣannaf*, 22.3; in the parallel passage in Faḍl, *Jāmiʿ*, 191.8, the words ‘*alā kull*’ have dropped out, while in Kindī, *Bayān*, 21.3, the text reads ‘*alā kull ḥāl*’.

¹⁶⁸ Faḍl, *Jāmiʿ*, 190.10; Kindī, *Bayān*, 21.1.

¹⁶⁹ Abū Bakr al-Kindī, *Muṣannaf*, 12.6 (from Abū Muḥammad, i.e. Ibn Baraka).

Maḥbūb, clearly inclines in his direction. He refers to the view that women have no obligation to speak out, although if they do so in a manner that does not involve sexual self-display (*tabarruṣ*), this is unobjectionable (*ḥasan*).¹⁷⁰ The reference to female self-display invokes God's words to the wives of the Prophet: 'Remain in your houses; and display not your finery, as did the pagans of old' (Q33:33). Kudamī then continues by saying that he does not care for women taking upon themselves the hazards of sallying forth, since they are excused from speaking up; let them rather remain at home, as God has ordered them.¹⁷¹ Shaqṣī is more liberal: they are not obligated to perform the duty by deed, but are to do so verbally if they can, failing which they do it in the heart;¹⁷² in other words, women differ from men only in having no obligation to act as opposed to speak.

The jurists offer no formal listing of the conditions of obligation, but the categories with which they operate are familiar. They have one very general notion, that of being able to perform the duty,¹⁷³ and two more specific conceptions. One of these is not being in fear. Thus if you fear that some evil which you cannot avert will befall you if you act or speak, you perform the duty in your heart.¹⁷⁴ The early jurists show no disposition to explore this condition further.¹⁷⁵ There is, however, one unusual feature of their discussion, namely the frequency with which they seem to speak of precautionary dissimulation (*taqīyya* or *tuqāt*).¹⁷⁶ Muḥammad ibn Maḥbūb states that the obligation holds firm unless one finds oneself in a situation that makes such dissimulation permissible (*ḥāl yujawwiz lahu 'l-taqīyya*).¹⁷⁷

¹⁷⁰ *Ibid.*, 26.17 (from Abū Sa'īd, i.e. Kudamī). ¹⁷¹ *Ibid.*, 27.1.

¹⁷² Shaqṣī, *Manhaj*, 13.12.

¹⁷³ See, for example, Abū 'l-Ḥawārī, *Jāmi'*, 127.3; Abū Bakr al-Kindī, *Muṣannaf*, 12.6, 22.9, 28.3.

¹⁷⁴ Abū 'l-Ḥawārī, *Jāmi'*, 127.9 (from a responsum of Abū 'l-Ḥawārī); see also Ibn Baraka, *Jāmi'*, 180.7, whence Abū Bakr al-Kindī, *Muṣannaf*, 23.1; *ibid.*, 65.11 (from Kudamī).

¹⁷⁵ Contrast Ibn Baraka, who holds that it is not permitted for a single individual to proceed against a group unless he will be safe and successful, and justifies this with the observation that God has not obligated a man to fight more than two men (cf. Q8:66) (*Jāmi'*, 182.14; Kindī, *Bayān*, 26.11; compare the view of Ibn Shubruma (d. 144/761f.), above, ch. 4, note 196). He further explains that the Prophetic tradition on speaking out in the presence of an unjust ruler and getting killed for it (*Jāmi'*, 183.5, and Kindī, *Bayān*, 26.17) assumes a prior expectation of safety in this world and the next, or that the ruler will accept the rebuke (*Jāmi'*, 183.11; Kindī, *Bayān*, 27.1).

¹⁷⁶ For the use of the word *taqīyya* (or *tuqāt*), see, for example, Abū 'l-Mu'thir, *Sīra*, in Kāshif, *Sīyar*, 2:317.14; Bisyawī, *Jāmi'*, 190.2; Bisyawī, *Mukhtaṣar*, 276.1; Kindī, *Bayān*, 18.1, 20.1, 21.6, 41.4, 43.8; and the references in the next two notes.

¹⁷⁷ Faḥl, *Jāmi'*, 191.10; Kindī, *Bayān*, 21.6; Abū Bakr al-Kindī, *Muṣannaf*, 22.5; cf. also *ibid.*, 30.2 (a parallel passage, but apparently from Muḥammad ibn 'Abd al-Salām, for whom see above, note 107), and Shaqṣī, *Manhaj*, 14.10 (suggesting that there is disagreement as to whether *taqīyya* dispenses). In his *Sīra* to the western Ibāḍīs, Muḥammad ibn Maḥbūb again makes reference to *taqīyya* as dispensing (or not dispensing) one from the duty to forbid wrong (Kāshif, *Sīyar*, 2:241.1, 243.1, 249.5).

One elaborate account of the fear condition is in fact couched in such terms: if one goes to reprove a group, but is unable to do so, or they do not accept one's reproof, one may not sit with them unless one has fears (*illā an yattaqī minhum tuqātan*) concerning their reaction to one's departure; these may relate to one's property, life or religion.¹⁷⁸ The other conception is having an expectation that what one says will find acceptance (*qabūl*) on the part of the wrongdoer. It is, however, a matter of disagreement whether this is a condition of obligation.¹⁷⁹ An early authority takes the view that the duty still holds even when the offender will not accept it, provided you are not in fear of him.¹⁸⁰ A later compromise view is that in such a case one has a duty to reprove the offender once only, anything more being supererogation.¹⁸¹

How does one adjudicate between the claims of forbidding wrong and those of privacy? Here the discussion is concerned with a single, though major, issue: the conditions under which one can enter a home without leave in order to right a wrong.¹⁸² Such cases fall into two categories. In one, what is at stake is the prevention of immoral conduct – such as drunken revels,¹⁸³ or fornication.¹⁸⁴ In the other, it is the rescue of a victim.¹⁸⁵ In general, the first move is to ask leave to enter.¹⁸⁶ If this is refused, there is an opinion that one should not enter at all,¹⁸⁷ but in the

¹⁷⁸ Kindī, *Bayān*, 19.19, and Abū Bakr al-Kindī, *Muṣannaf*, 65.11 (from Kudamī); for the wording, cf. Q3:28. In both passages I read *aw lam* for *wa-lam*. Cf. also Kudamī, *Mu'tabar*, 211.18.

¹⁷⁹ So Abū Bakr al-Kindī, *Muṣannaf*, 22.11 (from an anonymous authority).

¹⁸⁰ Abū 'l-Ḥawārī, *Jāmi'*, 127.12, adducing Q7:164–5 in support (from a responsum of Abū 'l-Ḥawārī). This position is also implicit in Bisyawī's reshaping of the 'three modes' doctrine: 'by word and deed if he can; if he cannot, by speaking with his tongue . . .' (*Jāmi'*, 190.1; but cf. his *Mukhtaṣar*, 276.1, which seems to state the contrary). Compare Nawawī's view (above, ch. 13, 352f.).

¹⁸¹ Ibn Baraka, *Jāmi'*, 180.4, whence Kindī, *Bayān*, 24.5, and Abū Bakr al-Kindī, *Muṣannaf*, 22.16. The same view is put forward by the fifth/eleventh-century Ḥaḍramī imam Abū Ishāq Ibrāhīm ibn Qays (*Mukhtaṣar al-khiṣāl*, Oman 1983, 193.12). Cf. also Abū 'l-Ḥawārī, *Jāmi'*, 128.5, and Sālimī, *Tuhfa*, 1:300.15.

¹⁸² There are, of course, homes that can regularly be entered without leave (e.g. one in which a merchant keeps shop, or that of a judge who holds court there), and there are situations in which any home may be so entered which may have nothing to do with the perpetration of a wrong (e.g. a house on fire, or a house of mourning) (Kindī, *Bayān*, 84.11, 87.7, 88.20, 89.3).

¹⁸³ *Ibid.*, 84.4, 85.1, 88.17, 89.8, 90.21; Abū Bakr al-Kindī, *Muṣannaf*, 78.11.

¹⁸⁴ Kindī, *Bayān*, 84.1, 89.5, 90.18.

¹⁸⁵ Bisyawī, *Mukhtaṣar*, 275.17; Kindī, *Bayān*, 84.13, 85.12, 85.19, 86.4, 87.17, 88.20. Such a situation is said at one point to 'count as' a wrong (*yakūn bi-manzilat al-munkar*, *ibid.*, 86.8).

¹⁸⁶ The exception would be when the wrongdoer is likely to take advantage of the warning to make good his escape (*ibid.*, 86.20, and cf. Abū Bakr al-Kindī, *Muṣannaf*, 77.9; Shaqṣī, *Manhaj*, 24.3).

¹⁸⁷ This is given as one of the views that have been held (Kindī, *Bayān*, 84.20, 87.3, 87.12). Cf. also *ibid.*, 85.6, and Abū Bakr al-Kindī, *Muṣannaf*, 78.14.

usual view, what happens next depends primarily on the extent to which those outside the home know what is going on inside it. In the case of immoral conduct, relevant considerations include prior suspicion,¹⁸⁸ information received,¹⁸⁹ clear indications,¹⁹⁰ and sounds coming from the home.¹⁹¹ If one is not in fact sure that the drink being consumed there is forbidden, one should not enter without leave.¹⁹² In the case of rescue, the appropriate action turns mainly on the victim's cries for help, which should conform to certain formulae.¹⁹³ If there is a risk of encountering a female victim – who might be unveiled or even partly naked – one should announce one's entry appropriately: 'Cover up! We're coming in!'¹⁹⁴ The discussion is quite thorough as far as it goes; but it has nothing to say about the prohibition of spying, nor does it deal with the casuistry of bulging cloaks concealing musical instruments.

The issues considered above represent an agenda already established by the third/ninth-century jurists, though one to which, as we have seen, later authorities continued to contribute. What does not emerge from this treatment is the changed intellectual atmosphere that can be sensed elsewhere in the works of the scholars of the fourth or fifth/tenth or eleventh century – Ibn Baraka, Kudamī and Bisyawī. In general, these authors are characterised by a more developed intellectual style than the earlier jurists. Thus Ibn Baraka presents much of his material in a dialectic format: 'If someone were to say . . . the answer would be . . .', and the like;¹⁹⁵ Bisyawī likewise makes some use of this device.¹⁹⁶ These authors also tend to deploy more sustained and sophisticated arguments than the early jurists.¹⁹⁷ What we see

¹⁸⁸ As where the people concerned are *ahl al-rayb* (Kindī, *Bayān*, 88.14, and cf. Abū Bakr al-Kindī, *Muṣannaf*, 79.2).

¹⁸⁹ Kindī, *Bayān*, 85.1, 88.14; Abū Bakr al-Kindī, *Muṣannaf*, 78.11. What if a group put pressure on a man to come with them to take action against a wrong they hear (sc. music), but he says he hears nothing? The answer is that unless he knows of the wrong in the same way as they do, or is given proof of it, he has no obligation (Kindī, *Bayān*, 38.16).

¹⁹⁰ *Ibid.*, 85.3, 85.16, 86.8, 87.1; Abū Bakr al-Kindī, *Muṣannaf*, 78.11, 79.2.

¹⁹¹ Kindī, *Bayān*, 89.10. Compare the fact that a woman who raises her voice in her own home in a quarrel with a member of her family, or in laughter, can be told to lower it (*ibid.*, 80.1).

¹⁹² *Ibid.*, 84.7, 89.8, 90.22. The question is raised whether, when the violence is between husband and wife, one should refrain from entering until it is established that he is beating her wrongfully; the answer is that the duty of rescue is unchanged (*ibid.*, 86.11). It likewise makes no difference whether the victim is a boy or an adult, a free person or a slave (*ibid.*, 86.18).

¹⁹³ Thus a woman who is being beaten up by her husband should call out *wā ghawthāh bi'llāh* or *wā ghawthāh bi'l-Muslimin*; failing that, one does not enter without leave (*ibid.*, 84.13, 89.1; and cf. 85.15, 86.7, 88.3). ¹⁹⁴ *Ibid.*, 84.13, 88.22, and cf. 85.19.

¹⁹⁵ See, for example, Ibn Baraka, *Jāmi'*, 180.12. Compare his use of the term *ghalabat al-ẓann*, unknown to the early jurists (*ibid.*, 180.7, and cf. 180.8); the same terminology is used by Abū Ishāq (*Mukhtaṣar al-khiṣāl*, 193.12). ¹⁹⁶ Bisyawī, *Jāmi'*, 188.9.

¹⁹⁷ In the case of Kudamī I am rather taking this on trust: either the state of the text or the

here is doubtless a development associated with a certain openness to the intellectual currents of the wider Islamic world.

As might be expected, this is accompanied by the first appearance of some of the more conceptual questions relating to forbidding wrong.¹⁹⁸ Unlike the earlier jurists, Bisyawī concerns himself with the definition of terms.¹⁹⁹ He is likewise familiar with the concept of a collective obligation.²⁰⁰ As to the teasing question of the obligation of the sinner, Kudamī reports the view that only the trusted and truthful (*ahl al-ṣiḍq al-ma'mūnūn*), whether laymen (*ḍu'afā'*) or scholars (*'ulamā'*), are to undertake the duty, and insists that he knows of no disagreement on this point;²⁰¹ but though what he says is relevant to the question, he does not really seem to be addressing it.²⁰² As will be seen in a moment, one highly intellectual issue, the dispute as to whether the duty is grounded in revelation alone or also in reason, makes its appearance with the younger Kindī. All in all, we have here a measure of penetration of the eastern Ibādī tradition by wider scholastic concerns, but it does not go very deep.

This picture is reinforced by the near-absence of literary borrowing from non-Ibādī sources. The only work of the period in which there is a clear (though unacknowledged) case of such dependence is the younger Kindī's, the passage in question being concerned with the dispute over reason and revelation.²⁰³ We have already met this passage in a work by Māwardī, who in turn is likely to have had it from a Mu'tazilite source; and we have also seen it appear in the work of an eighth/fourteenth-century western

limits of my comprehension render much of what he says opaque to me, particularly with regard to the question what one may and may not be ignorant of in relation to the duty (*Mu'tabar*, 212.2; and compare the passage from his *Istiqāma* quoted in Jumayyil ibn Khamīs al-Sa'dī (fl. early thirteenth/nineteenth century), *Qāmūs al-sharī'a*, Zanzibar 1297-9, 8:22.19).

¹⁹⁸ There is, however, one piece of scholastic thought that appears surprisingly early, namely what I have dubbed in the Imāmī context, where it is standard, the doctrine of divisibility (cf. above, ch. 11, 272f.). According to this view, as espoused by Bashīr, all wrong must be righted, whereas right is of two kinds: the obligatory, which it is obligatory to command, and the supererogatory, which it is supererogatory to command (Kindī, *Bayān*, 27.13). Bashīr was a contemporary of Abū 'Alī al-Jubbā'ī (d. 303/916), who is identified by one Mu'tazilite source as the originator of the doctrine (see above, ch. 9, note 27).

¹⁹⁹ More precisely, he provides both an anthropocentric explanation of why *ma'rūf* and *munkar* are so called, and a revelationist definition of what the terms comprise (*Jāmi'*, 188.12). The first reappears anonymously in Kindī, *Bayān*, 8.7, and Abū Bakr al-Kindī, *Muṣannaf*, 5.4, the second with attribution, *ibid.*, 8.17.

²⁰⁰ Bisyawī, *Sira*, in *Kāshif*, *Siyar*, 2:171.9; cf. also Shaqṣī, *Manhaj*, 6.9.

²⁰¹ Kudamī, *Mu'tabar*, 213.2.

²⁰² Cf. also Abū Bakr al-Kindī, *Muṣannaf*, 29.15; Shaqṣī, *Manhaj*, 14.5.

²⁰³ Abū Bakr al-Kindī, *Muṣannaf*, 10.17-11.18 (without attribution).

Ibādī.²⁰⁴ In three other instances I suspect mining of non-Ibādī sources, but have not succeeded in identifying them.²⁰⁵

Religious and geographical distance thus seem to have conspired to insulate the eastern Ibādī tradition from any far-reaching Sunnī (let alone Shī'ite) influence in this period.²⁰⁶ Geographical distance alone seems to have been equally effective in excluding any serious western Ibādī influence.²⁰⁷ At least where forbidding wrong is concerned, links between the two branches of the sect are few and far between. The most striking common feature – and it can hardly be a coincidence – is the passage from Māwardī just discussed. The only other shared material I have noted is a particular paraphrasing of the ‘three modes’ tradition.²⁰⁸ A significant doctrinal link is the view, attested in both east and west, that the duty to speak out does not lapse even when it will have no effect, and the associated reshaping of the ‘three modes’ doctrine.²⁰⁹ In each case, however, the eastern attestation is earlier than the western, which makes it unlikely that

²⁰⁴ See above, note 53. Kindī's version is closer than Jayṭālī's to Māwardī's original, and fuller. On the other hand, Jayṭālī preserves features of Māwardī's text lost in Kindī's version (examples are the initial *innamā*, and the point that were the duty binding in reason, it would obligate God). This could mean that Jayṭālī was using a version other than Kindī's, but equally it could reflect the defective transmission of Kindī's text.

²⁰⁵ The first is Bisyawī's philological explanation as to why *ma'rūf* and *munkar* are so called (see above, note 199). The second is a general characterisation of the duty quoted from Muḥammad ibn 'Abd al-Salām (Abū Bakr al-Kindī, *Muṣannaf*, 29.11, and cf. Shaqṣī, *Manhaj*, 14.1; for this scholar, see above, note 107). Each of these passages also has a parallel in Khalīlī (d. 1287/1871) (attrib.), *al-Akhhbār wa'l-āthār*, Oman 1984, 1:82.14, 80.16 respectively, though in the latter case the parallel is rather deviant (I owe my copy of these passages to Patricia Crone). This work, which does not in fact seem to be Khalīlī's (see the note following the title-page of the first volume), also reproduces – without ascription – Abū 'l-Layth al-Samarqandī's account of the five things one needs in order to perform *al-amr bi'l-ma'rūf* (*ibid.*, 80.20; see above, ch. 12, note 39). The third passage is concerned with *al-amr bi'l-ma'rūf* as controlling one's own ego (*naḥs*) (Shaqṣī, *Manhaj*, 12.10–13.10); it is manifestly Ṣūfī in style and content.

²⁰⁶ The story might have been a very different one if the Ibādīs had not lost the cosmopolitan sea-port of Ṣuḥār, and if Iraq had retained its metropolitan status in the Muslim world. There were Qadarīs and Murjītes in third/ninth-century Ṣuḥār under Ibādī rule (see the epistle of Hāshim ibn Ghaylān to imam 'Abd al-Malik ibn Ḥumayd in Kāshif, *Siyar*, 2:38.5, whence Abū Bakr al-Kindī, *Muṣannaf*, 42.18, and, indirectly, Wilkinson, *Imamate tradition*, 164), together with Shī'ites, one of whom was a Mu'tazilite (see Faḍl, *Jāmi'*, 228.8, and Kindī, *Bayān*, 67.7; I follow Kindī's text).

²⁰⁷ That there were contacts between the two wings of the sect is, of course, well known. Barrādī provides a list of works by eastern Ibādīs which includes a good number by Omani authors (*Jawāhir*, 218.14), and he gives a report according to which Darjīnī had composed his *Ṭabaqāt* as part of an exchange of books with Oman (*ibid.*, 11.4, and see *EP*, art. 'Dardjīnī' (T. Lewicki)).

²⁰⁸ Here *ad'af al-imān* becomes *ad'af al-inkār* (Bisyawī, *Mukhtaṣar*, 276.12; Kudamī, *Mu'tabar*, 211.23; Kindī, *Bayān*, 12.3, 17.14; Jayṭālī, *Qanāṭir*, 2:154.22).

²⁰⁹ For Sulaymān ibn Yakhlaḥ, see above, 400f.; for the eastern parallels, see above, notes 180f. The two reshapings of the ‘three modes’ doctrine are parallel in thought, but do not show much closeness in language.

the eastern Ibādīs were the borrowers. The doctrinal link might, of course, go back to an original common heritage.

This relative isolation is no doubt one reason why such external intellectual stimulus as there was did not lead to any drastic reshaping of the eastern Ibādī tradition. There is nothing to compare with the subordination of archaic traditional materials to the demands of an intellectually sophisticated academic culture which marks the work of the Ḥanbalite Abū Yaʿlā, or still more of the Imāmī Shīʿite scholars of the classical period. Ibādī scholars such as Bisyawī did introduce one rather daring innovation: they established a strong, though not very clear, connection between forbidding wrong and the old Ibādī doctrine of affiliation and dissociation (*walāya* and *barāʿa*).²¹⁰ Thus Bisyawī holds that commanding right and forbidding wrong are linked to affiliation and dissociation (*min amr al-walāya waʾl-barāʿa*), since affiliation is owed to those who are obedient to God and do what is right, and dissociation to those who act wrongly and disobey Him;²¹¹ and it is clear that the targets of the two duties are bound to overlap in practice – the dishonest tradesman, for example, is a typical object of forbidding wrong, and is also liable to dissociation.²¹² Later authors maintain the linkage.²¹³ But this apart, there is not much change down the centuries.

A later Ibādī scholar whose work may serve to illustrate this stability is Shaqṣī (*fl. c.* 1034/1625), who in his compendium of Ibādī law gives a substantial account of forbidding wrong. In the main this represents a version of the juristic tradition which has been superficially tidied up and equipped with suitable prolegomena. Shaqṣī's deference to the tradition does not prevent him from expressing occasional views of his own. Thus in his discussion of musical instruments, he states it as his personal view that in this time of ours tambourines should not be tolerated at all, even to publicise weddings; on the other hand, explicitly reversing the bias of old tradition (*al-athar al-qadīm*), he holds that in our time the drum (*ṭabl*) should not be considered an evil, especially in such contexts as war.²¹⁴ Every time has its own ruling, he observes, as does every town.²¹⁵ This is

²¹⁰ For this doctrine as developed in Ibādīsm, see Ennāmi, *Studies*, ch. 6.

²¹¹ Bisyawī, *Sira*, in Kāshif, *Siyar*, 2:147.15. Despite the heading *dhikr al-amr biʾl-maʾrūf*, most of this section (*ibid.*, 146–74) is in fact about *walāya* and *barāʿa*. Likewise a significant part of the discussion found under the heading *al-amr biʾl-maʾrūf* in Bisyawī's *Jāmiʿ* is concerned with *walāya* and *barāʿa* (185–8).

²¹² Bisyawī, *Sira*, in Kāshif, *Siyar*, 2:157.17. Cf. also Ennāmi, *Studies*, 203f., 211.

²¹³ See Abū Bakr al-Kindī, *Muṣannaf*, 10.3, 56.4; cf. also 63.16 (this last from Saʿīd ibn Quraysh, for whom see above, note 122).

²¹⁴ *Ibid.*, 21.1 (*kull zamān lahu hukm wa-kull balad lahu hukm*). A little later, commenting on the same issue of the military use of the drum, he remarks that it all depends on intention (*al-aʿmāl biʾl-niyyāt*, *ibid.*, 22.8).

²¹⁵ Shaqṣī, *Manhaj*, 20.15.

a practical point of view, and indeed an engaging one, but it is not intellectually ambitious; it mostly leaves the tradition where it falls.

An even later illustration of the continuity of the tradition is the versified treatment of the duty by Sālimī.²¹⁶ Thus he still cites the opinion of Muḥammad ibn Maḥbūb on drums.²¹⁷ Some new offences have nevertheless appeared in the meantime: Banians cremate their dead among the faithful,²¹⁸ tobacco and drugs have made their appearance.²¹⁹ Sālimī likewise repeats the restrictive view that performance by hand is for the authorities, while others should make do with the tongue.²²⁰ But the remarkable feature of his discussion is the attention he gives to the question of women performing the duty.²²¹ He begins by stating a negative view which stems directly from the tradition: a woman is to perform the duty in her heart, not with her tongue.²²² But he then states that Khalīlī²²³ (d. 1287/1871) had taken the radical – but not altogether new – position that women are to perform the duty by word and deed; he based himself on Q9:71, which speaks even-handedly of men and women as commanding right and forbidding wrong, thus implying equality (*tasāwī*) in this respect.²²⁴ Sālimī professes to be impressed by the logic of this position, but seeks to neutralise it by invoking the duty of women to keep their voices down; this excuses them, and provides a basis for what he describes as the majority view, since one wrong cannot be put right by another.²²⁵

²¹⁶ In addition to the account in his *Jawhar*, Sālimī also has a brief and uninteresting mention of *al-amr bi'l-ma'rūf* in his *Madārīj al-kamāl* (Oman 1983, 147.3). For Sālimī, see Wilkinson, 'Bio-bibliographical background', 141f.; Wilkinson, *Imamate tradition*, 253f.

²¹⁷ Sālimī, *Jawhar*, 489.8 (cf. the references given above, note 125, esp. Faḍl, *Jāmi'*, 222.2, Kindī, *Bayān*, 46.15, 52.1, and Abū Bakr al-Kindī, *Muṣannaf*, 63.2). Another early jurist whom he cites is *Bashīr naḥl Muḥammad* (Sālimī, *Jawhar*, 487.9), whom I take to be Bashīr ibn Muḥammad ibn Maḥbūb; however, the view he ascribes to him – that the duty is grounded in reason – seems unlikely to be his, and has no basis in the tradition as known to me (indeed Abū Bakr al-Kindī, *Muṣannaf*, 6.6 would support the contrary).

²¹⁸ Sālimī, *Jawhar*, 489.1. Cf. the friction that arose between imam 'Azzān ibn Qays and the Banians of Muscat over the use of drums and the like at Hindu religious ceremonies (Landen, *Oman*, 309).

²¹⁹ Sālimī, *Jawhar*, 489.16 (the terms used are *tutun* and *banj*). For the war on tobacco in Muscat under the imamate of 'Azzān ibn Qays, see Landen, *Oman*, 309. Some decades later, we are told that imam Kharūṣī would flog smokers, whereas imam Khalīlī would imprison them (Muḥammad al-Sālimī, *Nahḍa*, 199.23). ²²⁰ Sālimī, *Jawhar*, 487.21.

²²¹ *Ibid.*, 487.23. The discussion continues for thirteen lines.

²²² Cf. above, note 168.

²²³ He refers to him as *al-muḥaqqiq al-Khalīlī*, sc. Sa'īd ibn Khalfān al-Khalīlī (see above, note 112).

²²⁴ Sālimī, *Jawhar*, 488.2. Sālim ibn Sayf ibn Ḥamad al-Aghbarī, a recent or contemporary Omani scholar (his father was politically active in 1373/1954, see Wilkinson, *Imamate tradition*, 308f.), in his versification of the *Ghāyat al-maṭlūb* of 'Āmir ibn Khamīs al-Mālikī (d. 1346/1928), takes a similarly positive line: a woman is obligated to put things right (*an tughayyir*) as far as she is able, and to counsel imams and others (Aghbarī, *al-Naẓm al-maḥbūb*, Oman 1984, 208.22). ²²⁵ Sālimī, *Jawhar*, 488.7.

We can best end this survey of Omani authors by going back a few decades to Khalīlī, who at least in literary terms stands somewhat apart from the mainstream of the eastern tradition.²²⁶ What is unprecedented about his discussion of forbidding wrong is his extensive dependence on a western Ibādī work, that of Jayṭālī,²²⁷ and through it on Ghazzālī.²²⁸ Thus he makes frequent use of Ghazzālī's characteristic terminology,²²⁹ and retains in a heavily eroded form some of the outlines of his presentation.²³⁰ But without question, the single most interesting feature of Khalīlī's account is his treatment of the duty of women to forbid wrong.²³¹ Through Jayṭālī, he is confronted with Ghazzālī's inclusion of slaves and women.²³² He promptly moves to exclude slaves, making personal freedom a precondition for obligation;²³³ he explains that the slave has no power to act (*lā yaqdir 'alā shay'*), and no right to involve himself in such matters, as opposed to the service of his master – unless, perhaps, his master has given him permission.²³⁴ With regard to women, his view is positive, but more complex than appears from Sālimī's account of it. He begins by quoting the statement of Muḥammad ibn Maḥbūb that a woman is to

²²⁶ Our concern here is with the long extract from his *Ighāthat al-malḥūf* which occupies the greater part of the treatment of *al-amr bi'l-ma'rūf* in his *Tambid* (see above, note 112).

²²⁷ For Jayṭālī's *Qanāṭir al-khayrāt*, see above, 401–3. Khalīlī refers to the work as *al-Qanāṭir al-maghribiyya* (*Tambid*, 7:41.1, and cf. 35.7, 54.11), and to its author as al-Shaykh Ismā'il or al-Shaykh Ismā'il al-Maghribī (*ibid.*, 52.11, 53.3). Although in his discussion of heroism he is able to cite a positive view of Kudamī's against the negative position of Ibn Baraka (for which cf. above, note 175), the attention he gives to the question undoubtedly reflects the influence of Jayṭālī (*ibid.*, 51.1; cf. above, notes 67–70). In one of his responsa he makes general reference to a view of the Maghāriba (*ibid.*, 21.4).

²²⁸ He refers twice to Ghazzālī (*ibid.*, 35.6, 52.11), and speaks also of a work he calls the *Ghazzālīyyāt* (*ibid.*, 40.19, 54.11). Cf. also his attribution of material to 'our scholars and others from among our people (*qawmunā*)' (*ibid.*, 33.15). But I noted no evidence of direct access to Ghazzālī's work.

²²⁹ He uses the terms *ḥisba* (*ibid.*, 52.6, 55.17), *muḥtasib* (*ibid.*, 49.8, 56.9), *muḥtasab fihī* (*ibid.*, 54.15), and above all *iḥtisāb* (*ibid.*, 49.5, etc.).

²³⁰ For example, the obligation is established by citing a mass of proof-texts, with separate sections dealing with Koran, Prophetic traditions, and non-Prophetic traditions, in that order (*ibid.*, 31–42, cf. below, ch. 16, 428). There is a recognisable parallelism with regard to much of the analysis that then follows (*ibid.*, 45–57, cf. below, ch. 16, 428–41); but thereafter we are in unfamiliar territory. Even where the parallelism is evident, it may be faint. Thus Ghazzālī's eight levels (*daraḡāt*) of reaction to a wrong (see below, ch. 16, 438–41), which survive as such in Jayṭālī's work (*Qanāṭir*, 2:171–5), have been reduced by Khalīlī to three *marātib* (*Tambid*, 7:56.16; there is mention of the sword, *ibid.*, 57.4, but not of armed bands). Major components of Ghazzālī's treatment of the duty which do not appear at all are his survey of common wrongs (see below, ch. 16, 442–6), and his collection of anecdotes on forbidding wrong to rulers (see below, ch. 16, 446); both had been retained by Jayṭālī (*Qanāṭir*, 2:178–87, 187–217).

²³¹ Khalīlī, *Tambid*, 7:53.1–15. Cf. also a responsum in which he rules that suitably covered women who need to buy and sell in the market should not be prevented from doing so (*ibid.*, 24.19). ²³² See above, notes 60f.; and cf. *ibid.*, 49.6. ²³³ *Ibid.*, 49.10.

²³⁴ *Ibid.*, 49.14.

perform the duty in her heart, and has no duty to speak out.²³⁵ To this he opposes the view of Jayṭālī, which he then justifies, just as Sālimī indicates, by invoking Q9:71: God has made all the believers partners (*sharrakahum*) in forbidding wrong.²³⁶ His problem is how to interpret the view of Muḥammad ibn Maḥbūb, and he does so by setting out the way in which the duty of women is limited by their segregation. A woman is the most appropriate person to forbid the wrongdoing of other women, and she is likewise obligated with regard to males with whom she is properly on intimate terms (*dhawū 'l-maḥārim*). What cannot be her duty is forbidding wrong in a gathering of men of doubtful character, since her very presence there would in itself constitute a wrong. But this is not, we should note, a point about the impropriety of women exercising authority over men: if a woman is in a position to exercise power (*sulṭān wa-yad*) over wrongdoers, and no other Muslim is taking action against them, then it is her duty to send someone to forbid them.²³⁷

Perhaps reflecting the relative autarky of the eastern Ibādī tradition for most of its history, two genres of literature that provide some illumination in the western Ibādī context are almost absent in the east. One is creeds; very few eastern examples are known to me. There is a creed loosely ascribed to Ibn Ibādī (later first/seventh century),²³⁸ though the fact that it refers to Muʿtazilites and Ismāʿīlīs obviously points to a much later date.²³⁹ This text contains a bare reference to forbidding wrong.²⁴⁰ Another such text is a chapter on the beliefs of the Omanis (*ʿaḳīdat ahl ʿUmān*) put together by Sālimī;²⁴¹ here too the duty appears only as an item in a list.²⁴²

²³⁵ *Ibid.*, 53.1; see above, note 168, and cf. note 222.

²³⁶ *Ibid.*, 53.3. He formulates Jayṭālī's view in the language of the three modes.

²³⁷ For all this, see *ibid.*, 53.7.

²³⁸ Izkawī, *Kashf al-ghumma*, ff. 244b.3–248b.9; translation in E. Sachau, 'Über die religiösen Anschauungen der Ibaditischen Muhammedaner in Oman und Ostafrika', *Mittheilungen des Seminars für Orientalische Sprachen*, 2 (1899), 62–9. The sections and headings of the translation are the work of Sachau. Izkawī (or his source) attributes the creed to Ibn Ibādī at the outset, but it is not clear how much of the text this attribution is supposed to include; nor is the creed presented as a document written by Ibn Ibādī. My only (though probably sufficient) reason for regarding the creed as an eastern text is the fact that we find it in an Omani source.

²³⁹ That the ascription is hard to sustain was pointed out by Rubinacci ('Professione', 567; however, I do not find his suggestion of an influence from the doctrine of Ghazzālī convincing).

²⁴⁰ Izkawī, *Kashf al-ghumma*, f. 246a.3. The paragraphing and headings introduced by Sachau in his translation ('Anschauungen', 65) are misleading at this point; the text does not in fact intend to link *al-amr bi'l-ma'rūf* to the pilgrimage.

²⁴¹ Sālimī, *Tuhfa*, 1:79–85 (drawn to my attention by Patricia Crone).

²⁴² *Ibid.*, 84.21. The list derives from a work of the second/eighth-century Wā'il ibn Ayyūb (*Nasab al-Islām*, in *Kāshif, Siyar*, 2:46.14; I owe this reference to Patricia Crone).

The other missing genre, more surprisingly, is biography. Students of Sunnī Islam are, of course, thoroughly spoilt by the richness and precision of the biographical traditions of the Sunnī law-schools. No significant Islamic community, however, is as poorly served as the eastern Ibādīs.²⁴³ Hence we lack biographical documentation of the activity of individuals in forbidding wrong. Occasionally, of course, comparable information appears in other sources. Thus Abū 'l-Mu'thir, in his open letter,²⁴⁴ praises a certain Bashīr ibn al-Mundhir (a contemporary of Muḥammad ibn Maḥbūb) who, though not perhaps an outstanding scholar, was a great Ibādī leader, strong in forbidding wrong.²⁴⁵ Here, as elsewhere in the letter, the primary emphasis is political. Around the beginning of the tenth/sixteenth century, one Muḥammad ibn Ismā'īl saw a man chasing a naked woman whom he had come upon while she was washing; our hero grappled with the pursuer and brought him down, while the woman escaped. The story is preserved only because it made political history: people were sufficiently impressed with Muḥammad ibn Ismā'īl's strength in forbidding wrong that he was chosen to be imam, ruling from 906/1500f. to his death in 942/1536.²⁴⁶ A couple of more recent scholars are described as performers of the duty.²⁴⁷

4. CONCLUSION

By way of conclusion, two comparisons are worth making with regard to the substance of Ibādī doctrine.

The first is between western and eastern Ibādism. As we have seen, these represent two distinct historical communities with largely separate literary heritages. Before Khalīlī there are only occasional links between them: one shared literary borrowing,²⁴⁸ the unusual doctrine that the verbal obligation does not lapse when the offender will not listen,²⁴⁹ the equally unusual interest in women as performers of the duty.²⁵⁰ But there are also differences

²⁴³ Hence the chronological shakiness of the biographical data on eastern Ibādī scholars referred to in the footnotes of this section. In the case of the western Ibādīs we rarely have precise death dates, but it is not usually a problem to situate a scholar in the right half of the right century. ²⁴⁴ See above, 404f.

²⁴⁵ Abū 'l-Mu'thir, *Aḥdāth*, in Kāshif, *Siṣar*, 1:24.15. For this Bashīr ibn al-Mundhir, see Wilkinson, *Imamate tradition*, 174.

²⁴⁶ Izkawī, *Kashf al-ghumma*, ed. 'Ubaydalī, 321.3; for this imam, see Wilkinson, *Imamate tradition*, 215f.

²⁴⁷ For one who died in 1336/1918, see Muḥammad al-Sālimī, *Nahḍa*, 252.13; for one who died in 1364/1945, see *ibid.*, 420.20. ²⁴⁸ See above, note 204.

²⁴⁹ See above, note 209. The main Sunnī parallel to this is the doctrine of Nawawī (d. 676/1277) (see above, ch. 13, 352f.).

²⁵⁰ See above, 402, 415f., 422, 423f., and cf. 396.

which are likely to reflect the very different political histories of the two wings of the sect. In Oman, the resilience of the imamate down the centuries finds obvious and direct expression in the frequency with which the Omani sources link forbidding wrong to this institution;²⁵¹ the same history may be behind the relative indulgence with which the scholars view military matters.²⁵² In the west, the vacuum left by the disappearance of the imamate was filled in part by clerical organisation and authority; this, however, seems to have left little mark on conceptions of forbidding wrong.²⁵³ The demise of the imamate does, nevertheless, seem to have had one interesting effect: it made the western scholars less cautious about the role of the individual performer. There is little in the west to compare with the accommodationist strain in the eastern tradition. We find no equivalents to the view that subjects are only to give counsel, are not to inflict beatings or even to break musical instruments,²⁵⁴ and should leave performance 'by hand' to the authorities.²⁵⁵ By contrast, one western scholar speaks of 'the sword' like a Mu'tazilite,²⁵⁶ while another consistently enhances the individual activism of Ghazzālī's doctrine.²⁵⁷ This is not surprising: as in Zaydism, more room for imams means less for others.

The second comparison is with the doctrines of the other Islamic sects and schools. The significant point here is that if we leave aside the close association of forbidding wrong with righteous rebellion and state-formation which the Ibādīs share with the Zaydīs, Ibādī views do not diverge in any systematic way from those of the Islamic mainstream. The most unusual features of the Ibādī material are the doctrine of the persistence of the verbal duty and the recurrent attention to women. This hardly suggests a distinctively Khārijite heritage, though the second of these features has possible echoes in the wider Khārijite milieu of early Islam.²⁵⁸ This leaves us with two ways to imagine the relationship between the Khārijite and the specifically Ibādī doctrines of the individual duty. We can see Ibādism as a late and much softened version of the Khārijite heritage. Or we can suppose that the tenor of the Ibādī doctrine of forbidding wrong was not so different from the views that were in fact to be found among the early Khārijite sects. Neither of these guesses can be substantiated; the second is perhaps more economical.

²⁵¹ See above, 405–7. ²⁵² See above, 410f.

²⁵³ See above, 403f. As we have seen, the same is true even of Imāmī Shī'ism (see above, ch. 11, note 312). ²⁵⁴ See above, 414f.

²⁵⁵ See above, notes 159, 220. Such a view makes an isolated appearance in the west when reported by Talātī (see above, note 36). ²⁵⁶ See above, 400.

²⁵⁷ See above, 402f. ²⁵⁸ See above, note 21.

CHAPTER 16

GHAZZĀLĪ

1. INTRODUCTION

Ghazzālī (d. 505/1111) in the title of his major work promised a revival of the religious sciences (*Iḥyāʾ ʿulūm al-dīn*).¹ It was not a humble title, and must have given grave offence to many of his contemporaries,² but he meant it and lived up to it. Though not as intellectually systematic as some Muʿtazilites, nor as clever as the later Imāmī scholars, his characteristic disregard for the settled habits of his colleagues enabled him to rethink the entire doctrine of forbidding wrong in a way that was to prove immensely influential far beyond the boundaries of his law-school.

Ghazzālī's account of the duty takes up the ninth book of the second 'quarter' (*rubʿ*) of the work, and is larger than most of those we have considered by an order of magnitude.³ It is also, as might be expected from

¹ At the beginning of the work Ghazzālī speaks of his decision to write a book *fī iḥyāʾ ʿulūm al-dīn* (*Iḥyāʾ*, 1:7.4, and cf. 8.13), but does not explicitly give it a title. In later works, however, he treats the phrase as a title, speaking of his *Kitāb iḥyāʾ ʿulūm al-dīn* (see, for example, *al-Maṣṣad al-asnā*, ed. F. A. Shehadi, Beirut 1971, 115.11, 127.8).

² Ṭurṭūshī (d. 520/1126) commented acidly that the book was more like 'The killing of the religious sciences' (*Imātat ʿulūm al-dīn*) (see Fierro's introduction to her translation of his *Kitāb al-ḥawādith wa'l-bidaʾ*, 63, from Dhahabī, *Siyar*, 19:495.1; and cf. Wansharīṣī, *Miʾyār*, 12:184.4). A later scholar, Sulaymān al-Andalusī (d. 634/1237), objected that the religious sciences had never died, and so were in no need of revival (Ghubrīnī, *Unwān al-dirāya*, 280.7, quoted in Manūnī, *Iḥyāʾ*, 134).

³ Ghazzālī, *Iḥyāʾ*, 2:280–326 (these are large, dense pages; all references below are to the second volume). I sometimes have occasion to correct the text of the edition of the *Iḥyāʾ* I have used, which is not a particularly good one; where I cite no authority for my correction, it is simply the reading of the Cairo 1967–8 edition (2:391–455), but where the two agree in error, I adduce parallels from elsewhere. For a complete translation, see L. Bercher ('L'obligation d'ordonner le bien et d'interdire le mal selon Al-Ghazali', *IBLA* (= *Revue de l'Institut des belles lettres arabes*), 18 (1955), 20 (1957), 21 (1958), 23 (1960)); for a partial translation, see L. Veccia Vaglieri and R. Rubinacci, *Scritti scelti di al-Ghazālī*, Turin 1970, 233–89. For an epitome, see G.-H. Bousquet, *Ghazālī, Iḥyāʾ ʿouloūm ad-dīn ou Vivification des sciences de la foi: analyse et index*, Paris 1955, 187–96. For brief summaries, see H. Laoust, *La politique de Ghazālī*, Paris 1970, 128–30, and Madelung, 'Amr be ma'rūf', 994a–995a. Extensive use is made of Ghazzālī's account in B. Musallam, 'The ordering of Muslim societies', in F. Robinson (ed.), *The Cambridge illustrated history of the Islamic world*, Cambridge 1996, 174–86.

Ghazzālī, highly organised, and in a manner that in some ways departs radically from earlier treatments. Ghazzālī himself wrote a shorter Persian recension of the work; even here, the discussion of forbidding wrong is still substantial.⁴ I shall begin by presenting his doctrine in an extended summary.

2. THE DOCTRINE OF GHAZZĀLĪ: A SUMMARY

Introduction

After a brief rhetorical introduction on the vital importance of the duty, its virtual disappearance in this day and age, and the near-absence of anyone seeking to revive it, Ghazzālī turns to business and announces the four chapters he will devote to the topic.⁵

1. *Obligation*

The first chapter is concerned primarily with the obligatoriness of forbidding wrong.⁶ Ghazzālī begins by stating that, apart from consensus (*ijmāʿ al-umma*) and common sense (*ishārāt al-ʿuqūl al-salīma*), this obligatoriness is established by Koran, Prophetic traditions (*akhbār*)⁷ and non-Prophetic traditions (*āthār*). Consensus and common sense get no further hearing. Instead, several pages are devoted to scripture and traditions, interspersed with comments; thus he remarks that Q3:104 establishes the duty to be collective.⁸

2. *Basic components of the duty*

Terminology. The second chapter treats the basic components (*arkān*) and conditions (*shurūṭ*) of the duty,⁹ and represents the analytical core of

⁴ Ghazzālī (d. 505/1111), *Kīmīyā-yi saʿādat*, ed. Ḥ. Khadīvjām, Tehran 1368 sh., 1:499–524; all references below are to the first volume. I have noted the more significant differences between the Arabic and the Persian recensions in the notes. Occasionally they carry a faint suggestion that the Persian may in places represent a more primitive version of the text, as opposed to a revision or simplification of it (see below, notes 36, 50, 116); but I have encountered nothing conclusive in this respect. Ghazzālī also gives a short account of *al-amr biʾl-maʿrūf* in his *al-Arbaʿin fī uṣūl al-dīn*, 84–9. In this account he makes some use of the terminology of the *Ihyāʾ* (as at *Arbaʿin*, 85.19, 88.11), and at one point gives a reference to the work (*ibid.*, 86.14); but while virtually every point he makes is found in the *Ihyāʾ*, he does not reproduce the structure of the account he gives there.

⁵ Ghazzālī, *Ihyāʾ*, 280.26. In the *Kīmīyā* there are only three chapters, the fourth being omitted.

⁶ *Ihyāʾ*, 281–5.

⁷ A few of the traditions he adduces as *akhbār* are in fact non-Prophetic.

⁸ *Ibid.*, 281.12.

⁹ *Ibid.*, 285–307.

Ghazzālī's doctrine. He first introduces parenthetically an unfamiliar terminology: the term *ḥisba*, he states, is a general term (*‘ibāra shāmila*) for commanding right and forbidding wrong.¹⁰ Ringing changes on the root from which this term is formed, he then sets out the four basic components of the duty: the person who does it (*al-muḥtasib*), the person against whom it is done (*al-muḥtasab ‘alayhi*), the matter regarding which it is done (*al-muḥtasab fīhi*), and the actual process of doing it (*naḥṣ al-iḥtisāb*).¹¹ Each of these has its conditions.

I. THE FIRST COMPONENT: THE PERFORMER.

Of the four components, it is the first that receives the lengthiest discussion.¹² The initial summary states that the conditions for performing the duty are that one be (1) legally competent (*mukallaḥ*), (2) a Muslim, and (5)¹³ able to do it (*qādir*).¹⁴ This excludes lunatics, boys, unbelievers and the infirm (*‘ājiz*); it includes individual subjects (even if they do not have official permission), sinners, slaves and women.¹⁵ The discussion that follows is slightly untidy in relation to this summary, though identical in upshot. Ghazzālī treats in succession five candidate conditions, namely the three already mentioned together with (3) probity (*‘adāla*) and (4) official permission (*kawnuhu ma’dhūnan min jihat al-imām wa’l-wālī*); the former are sustained, while the latter are discarded, which accounts for their omission in the initial summary.

Condition (1): legal competence With regard to legal competence, he stresses that it is a condition only for being obligated; a boy who is approaching puberty and knows what he is doing may proceed against wrongs, for all that he has no duty to do so.¹⁶

Condition (2): belief Turning to belief, Ghazzālī makes his point with a rhetorical question: since the duty consists in coming to the aid of the faith, how could one of its enemies perform it?¹⁷ He returns to the issue at the

¹⁰ *Ibid.*, 285.29; he has already used the term incidentally, *ibid.*, 284.17. In the Persian he makes use of *ḥisbat* to translate *al-amr bi’l-ma’rūf* and related terms in traditions (see, for example, *Kīmīyā*, 500.22, 501.17, 501.19). For the question which sense of the word *ḥisba* lies behind Ghazzālī's choice of it, see below, 447–9.

¹¹ In the discussion that follows he will reverse the order of the second and third components. The last is rendered in Persian as *chigūnagī-i iḥtisāb* (*ibid.*, 502.6).

¹² *Iḥyā*, 286–97. ¹³ The reason for this numbering will appear very shortly.

¹⁴ The Persian spells out what the Arabic takes for granted: the duty is incumbent on all Muslims (*Kīmīyā*, 502.3); whoever belongs to the religion is included (*har kib az ahl-i dīn ast ahl-i ḥisbat ast*, *ibid.*, 502.9).

¹⁵ *Iḥyā*, 286.2. By contrast, Ghazzālī held the view that neither slaves nor women could be judges (*Wajīz*, Cairo 1317, 2:237.15). ¹⁶ *Iḥyā*, 286.5.

¹⁷ *Ibid.*, 286.12. Ghazzālī implicitly equates *muslim* and *mu’min*.

end of his discussion of probity.¹⁸ An infidel (*dhimmī*), he says there, may not physically prevent a Muslim from doing wrong, since this would be exercising power over him (*tasalluṭ*). For him to tell a Muslim not to commit adultery is likewise forbidden, because it displays a pretension to authority over him (*iḡhār dāllat al-iḡtikām ‘alā ’l-Muslim*), and is thus a humiliation (*idhlāl*) of the Muslim – not that such an offender is not deserving of humiliation, simply that he should not suffer it from an infidel, who deserves it more than he does.¹⁹

Supposed condition (3): probity Then follows a long discussion of probity, that is to say the question whether the sinner is obligated. In the course of this we reach the familiar conclusion that he is, with an appeal to the argument that, were sinners excluded, there would be no one left to perform the duty.²⁰ Much of the argumentation consists of the kind of dialectic of which Ghazzālī is supposed to disapprove; its highlight is the case of the fastidious rapist who reproves his victim when she unveils her face while he ravishes her.²¹ The major concession made by Ghazzālī is that the sinner whose sin is well known is not obligated to counsel virtue in others, since his counsel (*waʿẓ*) would be ineffective.²²

Supposed condition (4): official permission The discussion of the question of official permission is even longer.²³ The condition is rejected, and the alleged contrary view of the Rāfiḍa is brushed aside. When they come to the law-courts claiming their rights, they are to be mocked with the argument that the time for this has not yet come, since the true imam has yet to go forth.²⁴ There is no analogy between the position of the individual Muslim subject and that of the unbeliever; the authority (*‘izz al-saltāna wa’l-iḡtikām*) exercised in the performance of the duty by the individual Muslim no more requires the permission of the ruler than does informing the ignorant.²⁵ Ghazzālī then proceeds to treat the

¹⁸ *Ibid.*, 288.17.

¹⁹ The summary of Bousquet (*Ghazzālī*, 189) is misleading in indicating that the unbeliever may proceed verbally against a Muslim. However, such a view is attested elsewhere (‘Alī al-Qārī, *Sharḥ ‘Ayn al-‘ilm*, 1:442.9, and cf. Nabarāwī, *Sharḥ ‘alā ’l-Arba‘in*, 171.19).

²⁰ *Iḡyā’*, 286.14. Laoüst reverses Ghazzālī’s position (*La politique de Ghazzālī*, 128).

²¹ *Iḡyā’*, 287.15. This teasing example also appears in Fakhr al-Dīn al-Rāzī, *Tafsīr*, 3:47.8 (to Q2:44), 8:179.6 (to Q3:104).

²² *Iḡyā’*, 287.34. As ‘Alī al-Qārī (d. 1014/1606) points out, this is tantamount to saying that where counsel is concerned, probity is indeed a condition – which, he says, contradicts what has previously been said (*Sharḥ ‘Ayn al-‘ilm*, 1:439.9).

²³ *Iḡyā’*, 288.24. In the *Kīmīyā* (504.2) Ghazzālī equates such permission with the writing of a letter of appointment to the (office of) *ḡisba* (*manshūr-i ḡisbat nibishtan*).

²⁴ *Iḡyā’*, 288.27. ²⁵ *Ibid.*, 288.32.

matter less sweepingly. There are five levels (*marātib*) of performance of the duty:²⁶

- informing;
- polite counselling;
- harsh language;
- physical action against objects;
- the threat or use of violence against the person.

With regard to the first four, there can be no question of any need for the ruler's permission.²⁷ Thus we know that harsh language may be used against the ruler himself, so how could it require his permission? The fifth level is problematic: it may require gathering helpers, and this can lead to fighting (*qitāl*) and armed conflict (*shahr al-asliḥa*), and so to general disorder (*fitna ʿamma*).²⁸ But in general, the persistence of the early Muslims in performing the duty against rulers demonstrates their consensus that no such permission is needed from them.²⁹

Excursus: inferiors against superiors Ghazzālī then raises the general question of performance of the duty against the grain of authority – by the son against the father, by the slave against the master, by the wife against the husband, by the pupil against the teacher, and by the subject against the ruler.³⁰ Is it the same unqualified duty as when it goes in the other direction, or is it different? The answer that Ghazzālī puts forward is that there is no basic difference in principle, but that there are variations in detail. He takes son and father as an example. Here the son may proceed at the first two levels, but not at the last two (he means the third and fifth). As for the third (he means the fourth), it depends. Analogy would indicate that the son could and should take action against offending objects

²⁶ *Ibid.*, 289.3 (reduced to four in the *Kīmīyā*, 504.6, through the omission of the first). He refers here to his later discussion of these levels, which we shall come to under the fourth component (see below, 438–41). There he refers to them, however, not as *marātib* but as *darajāt*, and their number has swollen to eight.

²⁷ The Persian is more vivid: here Ghazzālī remarks of the equivalent of the fourth level that whoever is a believer has been invested with this authority (*salṭanat*) without the permission of the ruler (*sulṭān*) (*Kīmīyā*, 504.15).

²⁸ He again refers to his later discussion (below, 441). The Persian is more conservative: it is best for such gathering of helpers not to be effected without the ruler's permission (*ibid.*, 504.19).

²⁹ Anecdotal support follows (*Ihyāʾ*, 289.18): the frame-story of the 'three modes' tradition, a man who confronted the caliph al-Mahdī (r. 158–69/775–85), another who told off Hārūn al-Rashīd (r. 170–93/786–809), Sufyān al-Thawrī (d. 161/778) rebuking al-Mahdī, a man who went about commanding and forbidding and was unsuccessfully challenged by al-Ma'mūn (r. 198–218/813–33) for doing so without his permission. These anecdotes are omitted in the Persian. ³⁰ *Ibid.*, 291.11.

in his father's possession; but it is plausible to say that he should weigh the extent of the wrong against the degree of aggravation and anger that will be caused by such action.³¹ What goes for the son applies also to the slave and the wife.³² The subject, however, is more restricted.³³ He can have recourse to the first two levels, but as to the third (again, he seems to mean the fourth), it depends: proceeding at this level may damage the ruler's majesty (*hayba*), which is forbidden,³⁴ but so also is silence in the face of wrong; the conflict can only be resolved by weighing the two considerations against each other. The pupil, on the other hand, is less restricted, since the scholar who does not practise his learning is owed no respect.³⁵

Condition (5): power Finally, there is the condition that one must have the power to perform the duty.³⁶ One who lacks the strength to perform it (*al-ʿājiz*) need do so only in his heart.³⁷ What is intended here is not subjective weakness (*al-ʿajz al-ḥissī*). Rather, weakness consists in the knowledge either that one will come to harm³⁸ or that one's action will be ineffective. Working through the various possibilities generates four cases:³⁹

- 1 It will be ineffective and cause one harm: in such a case there is no obligation, and it may even be forbidden to proceed.⁴⁰ One will, however, have a duty to stay away from the wrongdoing, staying at home as much as possible; but there is no need to resort to emigration (*hijra*) as long as one is not compelled to participate in wrongdoing, as by rendering assistance to unjust rulers.

³¹ I read *qatīlan* for *qarīban* twice at *ibid.*, 291.23 (cf. Ya'qūb, *Sharḥ Shir'at al-Islām*, 505.16). ³² *Ihyā'*, 291.32. ³³ *Ibid.*, 292.2.

³⁴ Cf. the traditions quoted *ibid.*, 292 n. 2. ³⁵ *Ibid.*, 292.6.

³⁶ *Ibid.*, 292.10. The Persian leaves out this condition, but takes up the question of harm at the end of the discussion of the third component (*Kīmiyā*, 509.11; more precisely, the paragraph begins as a translation of *Ihyā'*, 300.34, then follows Ghazzālī's cross-reference to *ibid.*, 292.10, and continues from there).

³⁷ This is the first mention of performance in the heart. The tradition that follows suggests that scowling might come under this heading (contrast below, note 82).

³⁸ For *bal yaltahiq bihi mā yakhāf ʿalayhi makrūhan* (*ibid.*, 292.13), we find *bal yatahaqqaq idhā khāfa ʿalayhi makrūhan* in the citation of the passage in Ya'qūb, *Sharḥ Shir'at al-Islām*, 501.21; however, Jayṭālī has the same reading as in our text of the *Ihyā'* (*Qanāṭir*, 2:164.4), as does 'Alī al-Qārī (*Sharḥ ʿAyn al-ʿilm*, 1:443.4). I speak of 'knowledge' that one will come to harm, not just of 'fear', since Ghazzālī goes on to speak in this way himself (as at *Ihyā'*, 292.16, 292.24), and later makes it clear that this is deliberate (*ibid.*, 293.26).

³⁹ *Ihyā'*, 292.15.

⁴⁰ The Persian agrees that there is no obligation, but says that proceeding is permitted, indeed rewarded; the tradition about standing up to an unjust ruler and getting killed for it is adduced in support (*Kīmiyā*, 509.15). There is no mention of staying at home or emigrating.

- 2 It will be effective and safe: in such a case it is obligatory.
- 3 It will be ineffective but safe: in such a case the ineffectiveness voids the obligation, but it is still virtuous to proceed as an assertion of the claims of Islam (*li-iḡbār sha'ā'ir al-Islām*).⁴¹
- 4 It will be effective but will cause one harm: in such a case there is again no obligation to proceed, but it is virtuous to do so, as is shown by the tradition about speaking out in the presence of an unjust ruler.⁴² How does this tally with the Koranic injunction 'cast not yourselves by your own hands into destruction' (Q2:195)? Here Ghazzālī draws an analogy with holy war. A lone Muslim may hurl himself at the ranks of the enemy and be killed where this will be to the advantage of the Muslims, as by damaging the morale of the enemy. In the same way, it is permissible and indeed virtuous for someone forbidding wrong to expose himself to being beaten up or killed where such action will be effective in righting the wrong, discrediting the wrongdoer or encouraging⁴³ the faithful.

Where there is no such prospect of success in the face of danger, to proceed is pointless and doubtless forbidden.⁴⁴ This is also the case when the backlash would cause harm to others, and not just to the performer, thus bringing about a new wrong.⁴⁵ Likewise when putting a wrong to rights would lead others to commit a wrong, the better view is that one may not proceed.⁴⁶ But on this point one can also take the opposite view, and some have done so.⁴⁷ These are questions of law (*masā'il fiqhīyya*) on which no certainty is to be attained, and in such cases it would make sense to consider the relative weight of the two wrongs. Such fine points (*daqā'iq*) are a matter of judgement (*ijtihād*); the layman (*āmmī*) would be well advised to stick to open-and-shut cases such as wine-drinking, adultery and failure to pray, since if he tackles more complex cases he is likely to do more harm than good. In this respect those who would restrict forbidding wrong to official appointees have a point.⁴⁸

⁴¹ The Persian, by contrast, says it is obligatory to proceed verbally (*ibid.*, 509.21), while in the *Arba'īn*, 86.3, it is recommended. The Persian thus provides a parallel to the doctrine of Nawawī (d. 676/1277) (see above, ch. 13, 352f.) and to Ibādī views (see above, ch. 15, note 209).

⁴² The Persian agrees, but does not adduce the tradition at this point (*Kīmīyā*, 510.3).

⁴³ Read *taḡwīya* for *tawqīya* at *Iḥyā'*, 293.6. ⁴⁴ *Ibid.*, 293.6.

⁴⁵ *Ibid.*, 293.10. Harm to others is treated somewhat more systematically in the Persian (*Kīmīyā*, 512.14). ⁴⁶ For *al-afkār* read *al-inkār* 'alā at *Iḥyā'*, 293.13.

⁴⁷ Cf. above, ch. 10, note 110, for another reference to such a view. I do not know of anyone who actually held it.

⁴⁸ It will be obvious that Ghazzālī's presentation is untidy at this point: he is trying to take account of something like the 'no untoward side-effects' condition (cf. above, ch. 11, 276 condition (6)), but without giving it a formal place in his framework.

Loose ends Ghazzālī has not quite finished with his ‘power’ condition. We now get a string of minor points related to it.

(1) Degree of certainty Does one have to have actual knowledge regarding the safety or efficacy of proceeding against a wrong?⁴⁹ The answer is negative: in general it is enough in this respect to have good reason to believe (*al-ẓann al-ghālib*). What then if the action probably will not work, but it just might, and there is no prospect of coming to harm? This is disputed, the better answer being that to proceed is obligatory in such a case. What if one probably will not come to harm, but one might? The answer here is that it is obligatory to proceed, since there is always some possibility of coming to harm. What if one confronts even odds? This is disputable, but the more plausible answer is that it is obligatory to proceed.

(2) Subjectivity of expectations Does not expectation of coming to harm in practice vary with the cowardice or courage of the person concerned?⁵⁰ For the apprehensive, distant eventualities loom terrifyingly close; the foolhardy, by contrast, recognise disaster only when it has already struck. The answer is that we take as our standard a balanced and sensible personality.

(3) Degrees of harm Just how much anticipated harm voids the duty?⁵¹ After all, some degree of unpleasantness is always to be expected in such situations. Here Ghazzālī offers an elaborate analysis of harm, the details of which we can dispense with. His central distinction is between loss of an actual good and deprivation of the prospect of acquiring one.⁵² The latter does not as a general rule dispense one from performing the duty, since it can be called ‘harm’ (*ḍarar*) only in a metaphorical sense; it is nevertheless possible to envisage cases where it would be plausible to allow exceptions, though such cases must always be a matter of judgement. By contrast, loss of an actual good does dispense. Here, in cases of harm to the person or property, there will be a lower limit below which harm is not considered, an upper limit above which it must be considered, and a grey area in between where one has to use one’s judgement.⁵³ Similarly with social

⁴⁹ *Ibid.*, 293.26.

⁵⁰ *Ibid.*, 294.5. This too is a little untidy: it looks like an unrecognised recurrence of the point about subjective weakness. The Persian alludes to this point (*Kīmīyā*, 510.22), but does not develop it as is done here; instead, it presents the analysis of degrees of certainty as the solution to this problem. ⁵¹ *Iḥyā*’, 294.20; *Kīmīyā*, 511.6.

⁵² *Iḥyā*’, 294.31, 295.22.

⁵³ Here, as in several other passages, Ghazzālī uses *ijtibād* for the kind of exercise of judgement that any normal person has to engage in.

standing (*jāh*): the prospect of being paraded around the town bare-headed and bare-footed⁵⁴ is one thing, that of merely having to walk on foot rather than ride a horse is another.⁵⁵

(4) Self-destructiveness How about a case in which someone is about to cut off one of his own limbs, and we can only stop him by fighting him, which may lead to his death?⁵⁶ Would this not be absurd, since the limb would perish with the man? Ghazzālī's answer is a startling reminder that he is not a utilitarian like Ibn Taymiyya:⁵⁷ we should indeed fight such a man, because our purpose is not to preserve either his life or his limb, but to prevent sin and wrongdoing; our killing him in the process is not a sin, unlike his cutting off his own limb. But would this not imply that we should kill him pre-emptively in a case in which we know that, if allowed to go off on his own, he will proceed to injure himself?⁵⁸ The answer is no, because we cannot in fact know with certainty what he will do.

(5) Sins past, present, and future Pondering this case leads Ghazzālī to some general reflections. Generally, one must make a temporal distinction: a sin may already have been committed, be in the process of being committed, or be anticipated.⁵⁹ In the first case what remains is to punish the sinner, and this of course is for rulers, not for individuals. In the second case, the obligation is in full force for individuals and subjects (*al-āḥād wa'l-ra'īyya*). The third case is less clear, since something may intervene to prevent the actual commission of the sin. In such cases individuals may only counsel and exhort. An apparent exception would be a situation in which it is just a matter of time before the sin is committed, as when youths hang around the doors of women's bath-houses to stare at the women as they enter and leave. But a more careful consideration of such cases will show that they in fact involve an actual sin, not just an anticipated one, so that the use of force by individuals is appropriate.

II. THE SECOND COMPONENT: THE WRONG

The second component is the matter with regard to which the duty is to be performed (*mā fihi 'l-ḥisba*).⁶⁰ The initial summary defines this as all

⁵⁴ *Ibid.*, 294.33: *al-ṭawāf bihi fī 'l-balad ḥāsiran ḥāfiyan*. The Persian has: *sar-barabna ba-bāzār birūn barand* (*Kimīyā*, 512.4).

⁵⁵ *Iḥyā'*, 295.30. Being exhibited in such a way would destroy a man's *murū'a*; walking on foot would not. ⁵⁶ *Ibid.*, 296.20. This discussion is not found in the Persian.

⁵⁷ Compare above, ch. 7, 154f. This contrast is noted by Madelung ('Amr be ma'rūf', 995a).

⁵⁸ *Iḥyā'*, 296.26.

⁵⁹ *Ibid.*, 296.29, likewise not found in the Persian. My paragraphing at this point is convenient but somewhat misleading; this general analysis is properly an elaboration of the last point made about self-destructiveness. ⁶⁰ *Ibid.*, 297.6.

wrongs that are currently in existence, are apparent to the performer without recourse to prying, and can be known to be wrong without expert legal judgment (*ijtihād*). This gives us four conditions.

Condition (1): being a wrong By this is meant that we have to do with something that is against the law.⁶¹ The concept of a wrong (*munkar*) is appropriate here, rather than the more restricted notion of a sin (*maʿṣiya*): there can be no sin without a sinner, but there can indeed be a wrong without a sinner, as when a boy or a madman drinks wine; and such a wrong is a proper target of the duty. Nor does the distinction between major and minor sins have a bearing on the duty.⁶²

Condition (2): being current This excludes action against past or future wrongs.⁶³

Condition (3): being apparent without prying Ghazzālī deals here with the familiar prohibition of spying on people, invoking appropriate authorities.⁶⁴ One may not raid a home unless the wrong is apparent to those outside it, as in the case of loud music or drunken cries, or the aroma of drink where the indications are that it is illicit. Similarly one may not challenge a sinner who has something concealed in his robe, unless there is some special reason to suspect him; it could be a bottle of wine, but then again it might be vinegar – a sinner needs his vinegar like anyone else, and people have all sorts of reasons for concealing things. If there is an aroma, the case is disputable, though the answer is plausibly that one should proceed; similarly if the garment is thin enough to reveal the outlines of a musical instrument. In general, one may learn of a wrong of this kind by encountering indications of it; but one has no right to go looking for such signs.

Condition (4): being known without recourse to scholarly judgement Whatever is within the domain of scholarly judgement (*ijtihād*) cannot be the object of the duty.⁶⁵ Thus a Ḥanafī has no business rebuking a Shāfiʿite for eating lizard or hyena, and so forth.⁶⁶ But may one reprove a member of one's own law-school for a violation that is permitted in some other law-

⁶¹ *Ibid.*, 297.9. The Persian treats this condition in the same way (*Kīmīyā*, 506.2).

⁶² This looks like a disavowal of a view suggested by a formulation of Ghazzālī's teacher Juwaynī (*Irshād*, 369.14).

⁶³ *Ihyāʾ*, 297.16. Somewhat inelegantly, we have already dealt with this point (see above, 435). ⁶⁴ *Ibid.*, 297.21. ⁶⁵ *Ibid.*, 298.12.

⁶⁶ Shāfiʿite school doctrine permits eating these animals, whereas that of the Ḥanafīs forbids or disapproves (see the tabulation in Cook, 'Early Islamic dietary law', 259).

school? The answer would seem to be that one may, since people should stick to the views of their own school. But this would lead to the somewhat bizarre conclusion that a Shāfi'ite could rebuke a Ḥanafī who joined him in eating a lizard, telling him in effect that while there was nothing wrong with eating lizard in itself, it was wrong for a Ḥanafī to do it. This leads us into yet more paradoxical cases. Altogether Ghazzālī's conclusion is that the duty is in some measure applicable in such cases: the Ḥanafī cannot rebuke the Shāfi'ite for something he himself considers lawful, but the Shāfi'ite may rebuke a fellow Shāfi'ite since they share the same legal position.⁶⁷ However, Ghazzālī does not condemn the opposing view that the duty applies only where the matter is known quite definitely to be a wrong, as with wine and pork.⁶⁸

Excursus: the slippery slope of relativism But how far is such relativism to extend?⁶⁹ If we are bound to respect the views of other law-schools, does this not have the alarming implication that we must show the same tolerance for the views of Mu'tazilites, anthropomorphists and philosophers? Ghazzālī resolves this by distinguishing between legal questions, in which it makes sense to say that every jurist exercising scholarly judgement (*mujtahid*) is right, and theological questions, where it does not and the falsity of wrong views is plain. But he faces the objection that in practice this does not help: the heretic still thinks he is right and calls you a heretic, just as you know yourself to be right and call him one. Ghazzālī replies that this can be taken account of in the following manner. In the case of a town to which heresy is a stranger, the townspeople may carry out the duty without the permission of the ruler. But if the town is split and proceeding would be an invitation to disorder, then it is not for individuals to act independently of the ruler. For all the importance of performing the duty against heresy, this limitation has to be observed.

III. THE THIRD COMPONENT: THE OFFENDER

The offender must be such that the behaviour in question is wrong in relation to him.⁷⁰ The minimal criterion for this is that he be human; he does not have to be legally competent, as we have seen.⁷¹ By contrast, restraining

⁶⁷ Read *al-Shāfi'ī* for *al-Ḥanafī*, *Iḥyā'*, 298.35.

⁶⁸ The Persian, by contrast, dismisses this view (*Kīmīyā*, 507.22).

⁶⁹ *Iḥyā'*, 299.6. For the historical background to what follows, see Madelung, *Religious trends*, 32–7. ⁷⁰ *Iḥyā'*, 299.32.

⁷¹ See above, 436. The Persian is different (*Kīmīyā*, 508.16; contrast above, note 61). Here Ghazzālī says that legal competence is indeed a condition, otherwise the action would not be a sin; thus restraining boys and madmen is not part of the duty. He also says that the offender must possess no immunity (*ḥurmat*), such as the father has to certain modes of performance of the duty (see above, 431f.).

an animal does not come within the purview of the duty. The reason for this is that forbidding wrong (*ḥisba*) is preventing a wrong out of respect for a right of God (*al-manʿ an munkar li-ḥaqq Allāh*).⁷² When we stop a boy drinking wine, it is in deference to a right of God that we do so. By contrast, when we stop an animal doing damage to property, we are motivated by respect for the right of the owner; our object is not really to restrain the animal, but rather to preserve a Muslim's property.⁷³ Again, we see that for Ghazzālī the duty is not a utilitarian one.

IV. THE FOURTH COMPONENT: THE PROCESS

Two topics fall under this rubric. One is the levels (*darajāt*) of performance; the other is its norms (*ādāb*).⁷⁴

The eight levels We start with the escalating sequence of eight levels of performance of the duty. These levels are as follows.⁷⁵

Level (1): seeking information The first level is seeking information (*taʿarruf*) about wrongs that are being committed.⁷⁶ This, as we already know, is forbidden. One is not to go around eavesdropping for the sound of music, sniffing to detect the aroma of wine, feeling a garment in search of the shape of a flute, or collecting gossip from a man's neighbours. It would be different if one heard the unsolicited testimony of two good witnesses to the effect that a man was a drinker, or whatever; one could then enter his house without leave.

⁷² *Iḥyāʾ*, 300.4. In the Persian the purpose is specified as *iḥbār-i shaʿāʾir-i Islām* (*Kīmīyā*, 509.5).

⁷³ Ghazzālī here gives a brief discussion of this latter duty (*Iḥyāʾ*, 300.18), despite the fact that it is no part of *ḥisba*. From this he goes on to the question of the duty of someone who comes across lost property (*luqata*) to preserve it (*ibid.*, 300.36). In both cases a relevant consideration is the inconvenience (*taʿab*) one suffers through involving oneself in such action – whereas inconvenience (as opposed to harm) has no bearing on the duty of *al-amr bi'l-ma'rūf* (*ibid.*, 300.32). With regard to cases to which the consideration is relevant, Ghazzālī handles the question very characteristically: there is a lower limit below which we disregard inconvenience, and an upper limit above which there is no duty to put up with it; in between there is a grey area of the kind humans just have to live with (*ibid.*, 301.11). The Persian renders *taʿab* as *ranj*, and adds the point that one's time is something one has a right to, and is not obligated to expend for the sake of someone else's property (*Kīmīyā*, 509.9). ⁷⁴ *Iḥyāʾ*, 301.16; *Kīmīyā*, 512.19.

⁷⁵ There are now eight *darajāt*, as opposed to the five *marātib* we encountered earlier (see above, note 26). Note that performance in the heart does not appear among these levels (cf. above, note 37, and below, note 82). The Imāmīs Qāḍī Saʿīd al-Qummī (writing 1107/1696) and Maḥdī al-Narāqī (d. 1209/1794f.), by contrast, feel constrained to replace Ghazzālī's first level with performance in the heart (Qāḍī Saʿīd al-Qummī, *Sharḥ Tawḥīd al-Ṣadūq*, ed. N. Ḥabībī, Tehran 1415–16, 1:742.16; Maḥdī al-Narāqī, *Jāmiʿ al-saʿādāt*, 2:246.14). They are probably influenced by Fayḍ, *Mahajja*, 4:108.9; Narāqī is followed by his son in his Persian rendering of his father's work (*Miʾrāj al-saʿāda*, 519.8).

⁷⁶ *Iḥyāʾ*, 301.20.

Level (2): informing The second level is informing the ignorant (*ta'rif*).⁷⁷ Thus if you see a rustic (*sawādī*)⁷⁸ praying incorrectly, you know that this is the result of ignorance, since if he did not want to pray correctly he would not be attempting to pray at all. He should be told about his shortcomings nicely. Instructing people carries with it the suggestion that they are ignorant or stupid, and this is something they do not appreciate; indeed they are more touchy about revealing their ignorance than they are about exposing their private parts. You tell such a man that people aren't born knowing, that we too were ignorant in matters of prayer till those who knew better instructed us, that perhaps his village lacks a scholar, or has one who is remiss in giving instruction in prayer, and so forth, to make it painless for him. Hurting a Muslim is just as wrong as silence in the face of his wrongdoing.

Level (3): exhortation The third level is forbidding by exhortation (*wa'z, nuṣḥ, takhwīf bi'llāh*).⁷⁹ This is for someone who is doing wrong even though he knows it to be wrong, or persists in it after he has learnt it to be so. This may involve repeating to him relevant traditions and anecdotes about early Muslims, all this to be done nicely and sympathetically. There is a mortal peril to be avoided here, namely that the scholar becomes puffed up with his sense of his own superior knowledge, and of the inferiority of the person he is instructing – an attitude which is a greater wrong than the one he is seeking to right.⁸⁰ Only someone who knows his own faults is safe from this, for there is a tremendous egotistical pleasure to be had from knowing better and assuming authority over others. One can detect this vice in oneself by a simple introspective test. Ask yourself what would please you more, for the offender to be corrected by your intervention, or for the agent of correction to be someone else, perhaps the offender himself? Anyone who finds the duty unwelcome and wishes someone else would do it for him should in fact go ahead, because his motives are genuinely religious. But if it is the other way round, then he is simply looking for an ego-trip, and should start by reforming himself.

Level (4): harsh language The fourth level is harsh language (*al-sabb wa'l-ta'nīf bi'l-qawl al-ghalīḏ al-khashin*).⁸¹ One turns to this when good manners do not work and the offender begins to manifest obduracy and contempt. This does not mean having recourse to bad language or falsehood,

⁷⁷ *Ibid.*, 301.29.

⁷⁸ The Persian has *rūstā'ī* (*Kimiyā*, 513.11). The term *sawādī* is derogatory: though it might be accurate to say 'You *sawādī*!' to someone, it would not be polite (see *Iḥyā'*, 302.33).

⁷⁹ *Ibid.*, 302.10. ⁸⁰ For *dhālīka* read *dhull*, *ibid.*, 302.15. ⁸¹ *Ibid.*, 302.30.

but rather saying things that are fair comment, such as: 'You libertine! You fool! You ignoramus! Don't you fear God?' But if someone knows that this will not be effective, or that speaking out in this way will get him beaten up, he should manifest his anger silently by frowning and scowling.⁸²

Level (5): physical action The fifth level is physical action (*al-taghyīr bi'l-yad*).⁸³ This refers to the destruction of offending objects (breaking musical instruments and the like) and to the use of force to eject someone from somewhere (for example, to drag someone in a state of major ritual impurity out of a mosque). Not all wrongs admit of such action. Moreover, one should not proceed in this fashion if one can get the offender to perform the action himself. Nor should one go further than is necessary: if one can get him out by grabbing his arm, one should not drag him by his foot or his beard, just as a musical instrument that can be rendered non-functional by being broken should not be ripped to pieces,⁸⁴ and wine should be poured out where possible without breaking the vessels containing it. One example of a case in which breaking vessels is justified would be bottles with narrow necks; here pouring out the wine might expose one to danger, or simply take up too much of one's time. But where there are no such difficulties, breaking vessels renders one liable to compensation.

Excursus: the question of preventive measures It might be argued that it is justifiable to go beyond the demands of the immediate occasion in order to diminish the likelihood of future offences (*zajr*).⁸⁵ However, preventing future offences, like punishing past ones, is not for individual subjects, who are permitted to act only to eliminate wrongs in the present. A ruler, by contrast, may judge it appropriate to break vessels containing wine as a preventive measure.⁸⁶

Level (6): the threat of violence The sixth level is the threat of violence (*al-tahdīd wa'l-takhwīf*), as when you tell a man 'Stop that, or I'll break your head!'⁸⁷ Where possible, one should threaten such violence before actually

⁸² Ghazzālī says that this is his duty provided he knows that he will not be beaten up for it, and that in such a case it is not enough for him to perform the duty in the heart (*al-inkār bi'l-qalb*) (*ibid.*, 303.4). Here there is no concept of performance by (as opposed to within) the heart (cf. above, note 37). ⁸³ *Ibid.*, 303.6.

⁸⁴ The text has *wa-lā yakhriq* (*ibid.*, 303.18); I read *wa-lā yakhriq*, since the Persian has *rīza rīza na-kunad* (*Kimiyā*, 515.15). ⁸⁵ *Ihyā*², 303.27.

⁸⁶ There is a curious difference between the Arabic and the Persian here. While both are concerned to explain away the fact that vessels were broken when the prohibition of wine was first introduced in Islam, the Persian states that this practice was abrogated (*mansūkh*) (*Kimiyā*, 516.2), whereas the Arabic denies this (*Ihyā*², 303.32). ⁸⁷ *Ibid.*, 304.12.

inflicting it. One should not threaten to do something impermissible, like kidnapping a man's wife, though it is allowable to exaggerate one's real intentions.

Level (7): actual violence The seventh level is actual violence (*mubāsharat al-ḍarb*) involving the infliction of blows with the hand and foot, but not the use of weapons.⁸⁸ This is permitted to individuals if and to the extent that it is necessary, observing the principle of minimal escalation (*tadrīj*). If the use of weapons is needed, this too is admissible as long as it does not lead to disorder (*fitna*). Thus if someone the other side of a river has seized a woman or is playing a flute, one may take up one's bow and shout 'Let her go or I'll shoot you!' If he does not desist, one may proceed with one's threat, though one should not shoot to kill.

Level (8): armed helpers The eighth level is collecting armed helpers (*a'wān*) where one cannot accomplish the duty on one's own.⁸⁹ In such a case the offender may gather helpers too, resulting in a pitched battle. There is disagreement as to whether this needs the ruler's permission. Some say that individual subjects may not do this because it leads to anarchy (*tahrīk al-fitan wa-hayaḡān al-fasād wa-kharāb al-bilād*).⁹⁰ Others take the more logical (*aqyas*) view that such permission is unnecessary, since once individuals are allowed to take action at the lower levels, there is no way to draw a line that excludes the formation of armed bands (*tajnīd al-junūd*). Their situation is no different from that of individual fighters engaging in holy war; in each case those who are killed are martyrs. In general it is uncommon for matters to reach such a pass in forbidding wrong, but the obligation is there in principle.⁹¹

The norms Having dispatched the levels, we come to the other topic included under the fourth component, namely the norms (*ādāb*). Detailed norms have already been set out in discussing each level; here, Ghazzālī says, we need only treat the subject in a general way.⁹² What it all comes down to is three qualities which the performer of the duty must possess.

⁸⁸ *Ibid.*, 304.23. The Persian includes the use of a stick (*chūb*) as an option at this point (*Kīmīyā*, 516.15). ⁸⁹ *Ihyā'*, 304.33.

⁹⁰ Murtaḡā al-Zabīdī (d. 1205/1791) comments that this has been a frequent occurrence in conflict between Sunnis and Shī'ites in Khurāsān, with ruinous consequences (*Itḡāf al-sāda*, Cairo 1311, 7:48.3; in general this extensive commentary on the *Ihyā'* is rather unrewarding for our purposes).

⁹¹ Laoust reverses Ghazzālī's position (*La politique de Ḡazzālī*, 130). In the Persian, Ghazzālī does not take sides in the dispute (*Kīmīyā*, 517.6).

⁹² *Ihyā'*, 305.8. The word *bāb* is to be omitted in the heading.

Quality (1): knowledgeableness The first quality the performer must have is knowledgeableness (*‘ilm*): he must know the occasions, limits, modes and contraindications of forbidding wrong.⁹³

Quality (2): scrupulousness The second quality is scrupulousness (*waraʿ*), which he needs in order to ensure that he acts in conformity with what he knows.⁹⁴ A man might know perfectly well that he was going too far, but do so for some motive of his own. At the same time he must be scrupulous if people are to accept what he tells them; a corrupt person (*fāsiq*) who attempts the duty will only meet with scorn.

Quality (3): even temperament The third quality is an even temperament (*ḥusn al-khulq*).⁹⁵ The performer of the duty needs this both to restrain his own anger and to endure the backlash that his action will provoke.

Further thoughts on the norms There follows a rather unstructured passage with many traditions and anecdotes.⁹⁶ Ghazzālī first talks about the importance of these three norms. He then takes up some further themes. He stresses the need to do right as well as command it; to endure the unpleasant consequences of forbidding wrong; to minimise one's wants and avoid being beholden to others so that one is free to perform the duty;⁹⁷ and, once again, to do it nicely.

3. *Wrongs that are commonly met with*

Introductory Ghazzālī begins his third chapter by emphasising that it is impossible to give an exhaustive account of all the wrongs that may be encountered.⁹⁸ Instead he offers a representative selection.⁹⁹ He notes at this point that wrongs are divided into the disapproved (*makrūh*) and the forbidden; where he speaks of a wrong without qualification, we are to understand a forbidden wrong. It is commendable (*mustahabb*) to prevent a disapproved wrong, and disapproved to remain silent about it. However,

⁹³ *Ibid.*, 305.11. ⁹⁴ *Ibid.*, 305.12. ⁹⁵ *Ibid.*, 305.15. ⁹⁶ *Ibid.*, 305.20.

⁹⁷ *Ibid.*, 306.4. This point, like the previous one, is presented as one of the norms (*ādāb*), but in what relationship they stand to the three norms already set out is not made clear.

⁹⁸ *Ibid.*, 307.12.

⁹⁹ The Persian has a less abrupt introduction: it opens with the observation that the world is full of wrongs in this day and age, and goes on to the need to do what one can about them (*Kīmīyā*, 520.7).

in a case where the offender is unaware that what he is doing is disapproved, it is one's duty to inform him.¹⁰⁰

(1) *Wrongs in the mosque* These wrongs include sloppy prayer, faulty recitation of the Koran, the practice whereby pairs of muezzins make a duet of the call to prayer, needless repetitions of the call to prayer after daybreak, the preacher (*khaṭīb*) who wears black robes made mostly of silk, storytellers and preachers (*wu'āẓ*) who mix heresy into what they say, the sale of medicines and the like,¹⁰¹ not to mention the presence of madmen, boys and drunks in the mosque.¹⁰² These are just Ghazzālī's leading examples; I have left aside his numerous subordinate instances, as also most of his qualifications. Thus with regard to preachers, he warns against the young, elegantly dressed preacher whose delivery is full of poetry and gesture and whose circle is frequented by women.¹⁰³

(2) *Wrongs in the market-place* The evils Ghazzālī mentions here fall into three categories.¹⁰⁴ The first is commercial dishonesty: concealment of defects in goods; discrepancies in weights and measures; passing off reconditioned second-hand clothes as new. The second is engaging in transactions that violate legal prescriptions: failure to make a proper contract; the inclusion of defective conditions; usurious transactions; and other defective dispositions. The third is the sale of forbidden goods: musical instruments; toy animals (*ashkāl al-ḥayawānāt al-muṣawwara*) sold for small boys during festivals; gold and silver vessels; silk clothes such as can only be worn by men, or are locally known to be worn only by them. It is evident that Ghazzālī is concerned here with the duty of the individual Muslim, not that of the officially appointed censor. He makes this clear in the case of dishonesty regarding profit margins: if a man says 'I bought these goods for – say – ten and I'm taking a profit of such-and-such', and he is lying, then anyone who is aware of this has a duty to inform the prospective buyer of the deceit.

¹⁰⁰ *Iḥyā'*, 307.15. This passage is actually at the beginning of the section on wrongs in mosques. The introduction of such a basic doctrinal distinction at this point in Ghazzālī's account is distinctly untidy.

¹⁰¹ Such commercial activity in mosques need not be forbidden in itself; though best avoided, it may be tolerated occasionally unless it is disrupting prayer (*ibid.*, 309.6).

¹⁰² It is not in itself forbidden for boys to play in the mosque. The case is similar to that of commercial activity: a mosque is not a playground (*ibid.*, 309.13).

¹⁰³ *Ibid.*, 308.26. The Persian specifies young women (*Kīmīyā*, 521.12), and has further material on the abuse of mosques, e.g. as places to settle financial accounts with peasants (*ibid.*, 521.19).

¹⁰⁴ *Iḥyā'*, 309.32. The corresponding Persian text (*Kīmīyā*, 522.1) includes polemic against the observance of the Zoroastrian festivals of Nawrūz and Sada among Muslims.

(3) *Wrongs in the street* These include not just permanent encroachments but also temporary obstructions, unless they cause no inconvenience or are the kind of thing that everyone has to have recourse to (as temporarily placing on the street a load of firewood one is taking home, or tethering an animal there).¹⁰⁵ Streets are for public use (*mushtarakat al-manfaʿa*). The list continues with such evils as unnecessarily transporting loads of thorns in narrow alleys, overloading animals, slaughtering on the street, scattering watermelon rind, discharging water from spouts into narrow lanes, leaving puddles, mud and snow on the streets (though the rights and duties of individuals are limited in this matter), and keeping dogs that bother passers-by.

(4) *Wrongs in the bath-house* Here the problem starts with the image (*ṣūra*) that one finds at the entrance to the bath-house, or inside it.¹⁰⁶ One's duty is to deface this image; if it is too high to reach, one should try one's luck at another bath-house. Images of trees and such are not a problem. Then follow the issues of nudity, touching and impurity that inevitably arise in such places. In addition, there is the matter of slippery surfaces and the liabilities to which they give rise.¹⁰⁷

(5) *Wrongs of hospitality* Finally, there are the wrongs committed in receiving and entertaining people (*diyāfa*).¹⁰⁸ These include laying out silk coverings for men, using censers and the like made of silver or gold, hanging curtains with images on them, and listening to musical instruments or singing-girls. To these we can add the scandal of women¹⁰⁹ gathering on roofs to watch men when there are youths among them who could give rise to temptation. All this requires action, and if one cannot rise to the occasion, one has to leave. So also if forbidden food is served, or the house is one occupied illegally, or someone present is drinking wine or wearing silk or has a golden signet ring,¹¹⁰ or a heretic is holding forth

¹⁰⁵ *Ihyāʾ*, 310.13. The heading speaks of major thoroughfares (*shawāriʿ*, Persian *shāhrah*), not the alleys typical of residential quarters, but some remarks apply more to the latter.

¹⁰⁶ *Ibid.*, 311.1. ¹⁰⁷ The Persian adds wasting water (*Kimiyā*, 523.22).

¹⁰⁸ *Ihyāʾ*, 311.23. The Persian likewise terms these wrongs *munkarāt-i miḥmānī* (*Kimiyā*, 524.3), but refers to them in the introduction to the chapter as wrongs that occur in homes (*khānahā*) (*ibid.*, 520.11). But wrongs occurring in homes are not as such a category accessible to *hisba*; it is being an invited guest that exposes one to them and triggers the duty. ¹⁰⁹ Again the Persian specifies young women (*ibid.*, 524.6).

¹¹⁰ From the references to silk and gold it is clear that Ghazzālī assumes the gathering to be male. There follows another discussion of the restraining of boys from committing wrongs, at the end of which Ghazzālī takes a dim view of the practice of piercing a girl's ears so she can wear golden earrings (*Ihyāʾ*, 312.4).

about his heresy,¹¹¹ or some joker is regaling the party with ribald and untruthful humour.¹¹² (Humour that is neither untruthful nor indecorous is acceptable in moderation, provided it does not become a habit.) Further relevant wrongs are extravagance and wastefulness.¹¹³

(6) *Other wrongs* There are many other wrongs, and no way to enumerate them all.¹¹⁴ You can think for yourself of the corresponding wrongs associated with informal gatherings (*majāmiʿ*),¹¹⁵ the courts of judges, offices of state (*dawāwīn al-salāṭīn*), colleges and the like.¹¹⁶ Every locale has its wrongs.

(7) *Of wrongs in general.* Anyone who in this day and age sits at home, wherever that may be, is in some measure guilty of failing to instruct people and bring them to right conduct.¹¹⁷ Ignorance of the law regarding the conditions for prayer prevails among most urban populations, let alone those of the villages and the wildernesses, such as the Beduin, the Kurds or the Turcomans. It is mandatory that there should be found in every¹¹⁸ mosque and quarter (*mahalla*) of the town a scholar (*faqīh*) to teach people their religion, and similarly in every village. Likewise it is the duty of every scholar who has discharged his individual duties and is free to undertake a collective one to go out into the rural hinterland of his town, and to the Beduin, the Kurds and the like, and to give them religious instruction. He should, incidentally, take his own food with him, since theirs is usually unlawful.¹¹⁹ Once one scholar undertakes this duty, others are dispensed from it. In the same way, every layman who understands the conditions of prayer has a duty to instruct others; but the responsibility weighs more heavily on scholars. If you know that people are praying wrongly in the mosque, you cannot just sit at home, and much the same goes for the market-place. Every Muslim has the duty of first setting himself to rights, and then, successively, his household, his neighbours, his quarter, his town, the surrounding countryside, the wilderness with its Beduin, Kurds or whatever, and so on to the uttermost ends of the earth. If somebody closer takes action, then those further away are dispensed

¹¹¹ *Ibid.*, 312.15. One does not have to leave if the heretic keeps quiet about his heresy, though one should make no secret of one's distaste for him. ¹¹² *Ibid.*, 312.17.

¹¹³ *Ibid.*, 312.23. ¹¹⁴ *Ibid.*, 313.5.

¹¹⁵ Murtaḍā al-Zabīdī explains these as *mawāḍiʿ tajtamiʿ fihā ʿl-nās* (*Ithāf*, 7:63.1).

¹¹⁶ At this point the Persian text ends abruptly (*Kīmīyā*, 524.17). ¹¹⁷ *Iḥyāʾ*, 313.9.

¹¹⁸ Insert *kull* (*ibid.*, 313.12).

¹¹⁹ The reason Ghazzālī gives is that most of their food is acquired illegally; he does not mention that such populations might also be expected to be ignorant or lax in matters of dietary law.

from doing so; otherwise all are guilty. This is a matter of considerably more importance than hair-splitting academic investigations.

4. *Commanding and forbidding rulers*

Ghazzālī begins his fourth and final chapter by referring back to his earlier discussion of the levels (*darajāt*) of performance.¹²⁰ Where the wrongdoer is a ruler, there is no problem with the first two levels, namely informing and exhorting; but individual subjects may not have recourse to the use of force or violence, since this leads to disorder (*fitna*) and to consequences worse than the original wrong. What of harsh language – expressions such as ‘You tyrant (*ẓālim*)! You who have no fear of God!’? If its use brings harm to others, it is not permitted; but if one fears only for oneself, it is permitted, and indeed commendable.¹²¹ Thus the early Muslims would expose themselves to such risks, knowing that to be killed in such a case was martyrdom.¹²² Ghazzālī now quotes a series of seventeen anecdotes to illustrate their courage and plain speaking.¹²³ This is how things used to be; today, alas, the scholars are silent, or if they do speak out, they are ineffectual, all because of their love of the things of this world.¹²⁴

3. THE ACHIEVEMENT OF GHAZZĀLĪ

Ghazzālī’s account of forbidding wrong is a remarkable one, and to the best of my knowledge it is almost entirely his own.¹²⁵ He does, of course, incorporate much previous thinking into his analysis; for example, the efficacy–harm matrix is an idea we have already encountered in a work of Abū ’l-Layth al-Samarqandī (d. 373/983).¹²⁶ But here, as elsewhere, the affinities are not accompanied by the sustained verbal similarities that would point to literary dependence.¹²⁷ Only for traditions and anecdotes about early Muslims is Ghazzālī straightforwardly dependent on earlier literature.

¹²⁰ *Ibid.*, 314.1. He seems in fact to be thinking of his original five-level schema (see above, note 26), not his later eight-level version (see above, 438–41), except that he merges the fourth and fifth levels.

¹²¹ Compare the rather different account given above, 431f.

¹²² Appropriate traditions are quoted. ¹²³ *Ibid.*, 314–26. ¹²⁴ *Ibid.*, 326.17.

¹²⁵ I find nothing in Ghazzālī’s account that invites categorisation as Ash’arite (on the question of his relationship to Ash’arism, cf. G. Makdisi, ‘The non-Ash’arite Shafi’ism of Abū Ḥāmid al-Ghazzālī’, *Revue des Etudes Islamiques*, 54 (1986), and R. M. Frank, *Al-Ghazzālī and the Ash’arite school*, Durham and London 1994).

¹²⁶ See above, 432f., for Ghazzālī’s version, and above, ch. 12, 313, for Abū ’l-Layth’s.

¹²⁷ For a straw in the wind, see below, note 147.

One aspect of Ghazzālī's originality is the impressive architecture of his account. Even the best of earlier analyses – notably those of the Mu'tazilites – tended to proceed by stringing together a succession of topics only one of which, the conditions of obligation, was given much internal structure. Ghazzālī, by contrast, operates with two distinct structural levels: the four basic components (*arkān*) and, within each, a set of subordinate elements – conditions, levels or qualities, as the case may be. This is very typical of Ghazzālī. Thus schemas in which a topic is broken down into a small number of components – usually between three and five – are common in his handbook of Shāfi'ite law.¹²⁸ There too we sometimes find subordinate sets of conditions, levels, qualities and the like.¹²⁹ A further similarity is that in a good many cases we find that the naming of the components in his handbook involves some degree of ringing changes on roots, though cases in which a single root provides designations for all the components of a set – as it does in our case¹³⁰ – are relatively uncommon.¹³¹ As might be expected, the naming of the four components of forbidding wrong seems to be very much a terminological innovation of Ghazzālī.¹³²

What Ghazzālī fails to explain is just why he chose the word *ḥisba* as a general term for forbidding wrong, and I am not entirely clear why he did so. There is, of course, the obvious point that, in order to ring his changes, he needed a single term that would cover both commanding right and forbidding wrong. But why this one? The modern reader tends to assume that Ghazzālī is implying an analogy between the duty of the individual to forbid wrong and the obligation of the officially appointed censor

¹²⁸ See, for example, Ghazzālī, *Wajīz*, 1:106.5 (*i'tikāf*), 159.10 (*rahn*), 183.6 (*ḍamān*), 188.3 (*wakāla*). I noted over thirty instances of such sets of *arkān* in the book, and there are doubtless more of them.

¹²⁹ Thus in the treatment of *rahn*, the component *al-marḥūn* contains three conditions (*sharā'it*) (*ibid.*, 159.12; for similar sets of conditions, see, for example, *ibid.*, 188.4, 195.17, 246.5). The component *al-ṣigha* in the treatment of *waqf* contains three levels (*marātib*) (*ibid.*, 245.17; similarly *ibid.*, 2:232.18). There are also components containing sets of *aṭrāf* (*ibid.*, 121.5), *khiṣāl* (*ibid.*, 125.13), *darajāt* (*ibid.*, 207.17), and the like.

¹³⁰ For his terms for these components, see above, 428f.

¹³¹ An example in which there is no ringing of changes is *hiba*, where the three components are *al-ṣigha*, *al-mawḥūb* and *al-qabḍ* (*ibid.*, 1:249.4). An example where the phenomenon appears, but is not carried through, is *dhabḥ*, where the four components are *al-dhābiḥ*, *al-dhabḥ*, *al-āla* and *naḥs al-dhabḥ* (*ibid.*, 2:205.18). I noted five cases where all components are designated by forms of the same root. An example is *'āriya*, where the four components are *al-mu'ir*, *al-musta'ir*, *al-musta'ār*, and *ṣighat al-i'āra* (*ibid.*, 1:203.14). The others instances I noted are *rahn* (*ibid.*, 159.11, but cf. 162.8), an aspect of *shuf'a* (*ibid.*, 214.20), *luḡaṭa* (*ibid.*, 250.18), and an aspect of *qisāṣ* (*ibid.*, 2:121.3). The device is also used by the younger Ibn Rushd (d. 595/1126) in his *Bidāyat al-mujtahid* (Cairo 1970–4), with some development; thus the three components of *hiba* appear there as *al-wāhib*, *al-mawḥūb lahu*, and *al-hiba* (*ibid.*, 2:359.9).

¹³² In addition to the pattern of ringing changes on the root, compare the terms *naḥs al-ihṭisāb* and *naḥs al-dhabḥ* (for the latter, see the previous note).

(*muḥtasib*) to police morals and markets – for all that Ghazzālī has nothing to say about the duties of the censor. Such analogies do indeed appear in our sources, though not very frequently, and they are based on the obvious fact that both individual and censor have a duty to forbid wrong. Thus a Ṣūfī who has gone on a rampage against the caliph’s wine supply is brought before him; asked who he is, he replies: ‘A censor (*muḥtasib*).’ When the caliph asks him who appointed him to the censorship (*ḥisba*), he cleverly replies: ‘He who appointed you to the imamate.’¹³³ More significantly for our purposes, Ghazzālī’s fellow-Shāfi‘ite Māwardī (d. 450/1058) at the beginning of his chapter on the censorship defines the term *ḥisba* as commanding right and forbidding wrong, though he then goes on to distinguish systematically between the individual performer of the duty (*al-mutaṭawwi‘*) and the official censor (whom alone he terms *al-muḥtasib*).¹³⁴ But while this provides a limited precedent, it does not tell us what Ghazzālī had in mind in basing his terminology on the term *ḥisba*. My own feeling is that the key element in the background is the idea of doing something for God’s sake, without personal or worldly motives of any kind.¹³⁵ This makes sense inasmuch as someone who forbids wrong, if not corruptly motivated, is doing something precisely for God’s sake – and not with a view to furthering his own interests, legitimate or otherwise.¹³⁶ The problem is, of course, that forbidding wrong is far from being the only thing that can or should be done for God’s sake.¹³⁷ And with the single

¹³³ *Iḥyā’*, 326.5; Dhahabī, *Siyar*, 14:76.6; Dhahabī, *Ta’rīkh al-Islām*, years 291–300, 71.14. For the story, see below, note 257. For similar anecdotes, see below, note 226, and ch. 19, note 139. ¹³⁴ Māwardī, *Alḥām*, 315.3.

¹³⁵ One does, of course, stand to attain a reward in the next life.

¹³⁶ It is, I think, for this reason that we sometimes find the verb *iḥtasaba* used in older sources in contexts connected with *al-amr bi’l-ma‘rūf*. See, for example, above, ch. 4, note 97; Ibn Sa‘d, *Ṭabaqāt*, 5:313.1, where the word should be vocalised *yaḥtasibu* (for this passage, cf. above, ch. 4, note 78); Juwaynī, *Ghiyāth*, 177.6; Khwāja ‘Abdallāh Anṣārī (d. 481/1089), *Ṭabaqāt al-ṣūfiyya* (in Persian), ed. M. S. Mawlāṭī, n.p. 1362 sh., 397.5 (I owe this reference to Gerhard Böwering). See also above, ch. 12, notes 28f.

¹³⁷ For example, a witness who has come all the way from Seville to give evidence in Cordoba is asked by the suspicious *qāḍī*: ‘Are you doing this for God’s sake (*muḥtasib*) or for your own profit (*mukhtasib*)?’ (Khushanī, *Quḍāt*, 158.2, cited in Chalmeta, *El ‘señor del zoco*, 405). It is, as it happens, from Muslim Spain that modern scholars have most energetically collected examples of the use of the term *muḥtasib* and related forms (for the period prior to Ghazzālī, see *ibid.*, 403–8, and M. Fierro, ‘El proceso contra Ibn Ḥātim al-Ṭulayṭulī’, *Estudios onomástico-biográficos de al-Andalus*, vol. 6, Madrid 1994, 191, 196). Some of this material displays usages that would not be out of place in the east. However, the term *muḥtasib* is often used in these texts to refer to someone who makes a practice of doing things for God’s sake; such variously meddling and pious activities could include *al-amr bi’l-ma‘rūf*, but were clearly not confined to it. What made this western usage possible was doubtless the fact that, in the west in contrast to the east, the term *muḥtasib* was not in common use in the sense of censor.

exception of Māwardī's initial definition of *ḥisba*, I have encountered no cases in texts written before the time of Ghazzālī in which forms related to this term are unmistakably being used synonymously with forbidding wrong. But perhaps there was enough in the air,¹³⁸ and once we accept Ghazzālī's choice of root, the rest of his terminology makes good sense against the background of his legal thought.

All this is not to say that Ghazzālī's architecture is by any means flawless. There is still a good deal about his account that is untidy or not thought through, as I have had occasion to point out from time to time. The chapter on the obligatoriness of forbidding wrong is deficient in analysis;¹³⁹ as a result, the question whether wrongs can be divided into the forbidden and the merely disapproved, and of the effect of these categories on the duty, is not dealt with till the beginning of the section on wrongs in mosques.¹⁴⁰ Likewise the eight levels of performance of the duty seem to represent a development from an earlier five-level schema which still survives in two passages.¹⁴¹ Other passages balloon with too much unstructured material, as with the string of topics I have labelled 'loose ends',¹⁴² and the passage I have called 'further thoughts on the norms'.¹⁴³ The last chapter, on rebuking rulers, covers the same ground as the latter part of the 'excursus' to the discussion of the question of official permission.¹⁴⁴ Altogether, there is no denying that Ghazzālī could have used the services of a good copy-editor.¹⁴⁵ But such lapses are likely to be the result of writing too much and too fast. They are not a reflection of any limitation in Ghazzālī's conception of what constitutes clear and effective analysis, nor do they detract from his extraordinary willingness to modify or abandon traditional ways of handling the subject.

The other aspect of his account that is often original is the handling of the practicalities of the duty. It is rare for a scholar to tell us whether it is incumbent on slaves and women to forbid wrong, and still more so for him to mention peasants, Beduin, Kurds and Turcomans.¹⁴⁶ The whole passage

¹³⁸ In addition to the usages already noted, there is a suggestive lexicographical explanation of the verb *ihṭasaba* as meaning to reprove someone for something: *wā-ḥṭasabta 'alayhi kadhā idhā ankartahu 'alayhi* (Jawharī (d. c. 398/1007), *Ṣiḥāḥ*, ed. A. 'A. 'Aṭṭār, Cairo 1377, 110a.20; see also Lane, *Lexicon*, 565f.). This usage may, of course, be confined to lexicography.

¹³⁹ For the lack of a discussion of the question whether or not the duty can be grounded in reason, cf. above, note 8. ¹⁴⁰ Cf. above, notes 8, 100.

¹⁴¹ See above, notes 26, 120. ¹⁴² See above, 434f. ¹⁴³ See above, 442.

¹⁴⁴ See above, 431f. ¹⁴⁵ See also above, notes 11, 48, 50, 63.

¹⁴⁶ For slaves and women, see above, note 15, and cf. above, 431f.; for the inhabitants of the countryside, see above, note 78, and 445f.

on the duties of scholars not just within their urban environments but also outside them represents a very unusual perspective.¹⁴⁷ The survey of commonly encountered wrongs is (so far as I know) unprecedented, both as an idea and in most of its detail.¹⁴⁸ Equally striking is the freedom with which Ghazzālī brings psychological insights to bear in doctrinal questions, as with his remarks on the subjectivity of expectations,¹⁴⁹ the psychology of ignorance,¹⁵⁰ and the lure of the ego-trip.¹⁵¹ Such insights are not themselves necessarily new, but they are new to the genre. Ghazzālī also displays a very real sense of what can and cannot be determined by laying down rules in advance. He has a vivid awareness that life is full of problematic cases and grey areas, and that individuals have to make judgements about them as best they can.¹⁵² All in all, there is a great deal of fresh air in Ghazzālī's account.

4. THE LEGACY OF GHAZZĀLĪ

This is not the place to consider whether the religious sciences were moribund in Ghazzālī's time, and whether he succeeded in his aim of reviving them. It is enough that the book he devoted to this project, the *Revival of the religious sciences*, was extraordinarily successful down the centuries. The reasons for this success go beyond the particular qualities I have picked out from his account of forbidding wrong. But at least one of these, effective organisation, was already highlighted in the traditional Muslim world. The Spanish doctor and philosopher Ibn Ṭumlūs (d. 620/1223f.) describes how people were attracted by the unprecedentedly well-ordered and well-arranged character of Ghazzālī's works,¹⁵³ while the Imāmī Muḥsin al-Fayḍ (d. 1091/1680) comments on the clarity and good arrangement of the *Revival*.¹⁵⁴

The wide diffusion of the work, and consequently of its account of forbidding wrong, is documented by a mass of evidence that remains largely

¹⁴⁷ See above, 445f. There is, incidentally, a parallel between Ghazzālī's point about the indefinitely widening horizons of *al-amr bi'l-ma'rūf* (*Ihyā'*, 313.27–30) and a very similar idea of Galen's (see the text in P. Kraus, '*Kitāb al-akhlāq* li-Jālinūs', *Majallat Kulliyat al-ādāb bi'l-Jāmi'a al-Miṣriyya*, 5 (1937), 39.12–14; English translation in J. N. Mattock, 'A translation of the Arabic epitome of Galen's book *Peri ēthōn*', in S. M. Stern *et al.* (eds.), *Islamic philosophy and the classical tradition*, Oxford 1972, 248 (I owe this reference to Baki Tezcan)). But the parallel is isolated, and the wordings are quite different.

¹⁴⁸ See above, 442–6. ¹⁴⁹ See above, note 50. ¹⁵⁰ See above, 439.

¹⁵¹ See above, 439. ¹⁵² See above, notes 48, 53, 73.

¹⁵³ Ibn Ṭumlūs, *Madkhal*, 12.17, quoted in Manūnī, '*Ihyā'*', 132. He speaks of *jūdat al-niẓām wa'l-tartīb*.

¹⁵⁴ Fayḍ, *Mahajja*, 1:1.8, speaking of *ḥusn al-bayān wa'l-tahrīr wa-jūdat al-tartīb wa'l-taqrīr*. The words we should take seriously (because they do not rhyme) are *bayān* and *tartīb*.

unstudied.¹⁵⁵ In attempting to sketch the fortunes of the work, I have arranged the material I have collected in terms of sects and schools, since these are the prime categories of this study; but it should be remembered that to a large extent the literary vector is likely to have been Šūfī.

The interest rapidly generated by the work among Ghazzālī's fellow-Šāfi'ites is nicely illustrated by the case of his pupil Abū 'l-Faṭḥ ibn Barhān (d. 518/1124). This Ibn Barhān was a grossly overworked teacher who at one time held a position at the Niẓāmiyya. When asked by his students to teach the *Revival*, he at first refused for lack of time, but eventually agreed to put on the course in the middle of the night.¹⁵⁶ Thereafter two phenomena are worthy of note among the Šāfi'ites. One is the existence of people who had the work by heart, or nearly so.¹⁵⁷ The other is the proliferation of epitomes.¹⁵⁸ There was one by Ghazzālī's brother Aḥmad (d. c. 520/1126),¹⁵⁹ one by the Yemeni Yaḥyā ibn Abī 'l-Khayr al-ʿImrānī (d. 558/1163),¹⁶⁰ one by the Yemeni Muḥammad ibn Saʿīd

¹⁵⁵ For the manuscripts of the work, see Brockelmann, *Geschichte*, supplementary volumes, 1:748 no. 25, and second edition, 1:539 no. 25; ʿA. Badawī, *Muʿallafāt al-Ghazzālī*, Cairo 1961, 98–112. For a rich study of the reverberations of a controversial theological idea of Ghazzālī's, see E. L. Ormsby, *Theodicy in Islamic thought: the dispute over al-Ghazzālī's 'best of all possible worlds'*, Princeton 1984, esp. ch. 2.

¹⁵⁶ Subkī, *Ṭabaqāt*, 6:30.14, whence H. Laoust, 'La survie de Ġazālī d'après Subkī', *Bulletin d'Etudes Orientales*, 25 (1972), 158 no. 2.

¹⁵⁷ For Abū Ṭālib al-Rāzī (d. c. 522/1128), see Subkī, *Ṭabaqāt*, 7:180.9, whence Laoust, 'Survie', 158 no. 4; for Sharaf al-Dīn al-Mawṣilī (d. 622/1225), who used to teach the book from memory, see below, note 162; for Bilālī (d. 820/1417), see below, note 211. With these we may compare a Tunisian who memorised the work (Ibn al-Zayyāt, *Tashawwuf*, 179.15, noted in Manūnī, 'Iḥyā', 132 no. 3).

¹⁵⁸ A general idea of the number of epitomes made of the book can be obtained from Brockelmann, *Geschichte*, supplementary volumes, 1:748f. no. 25, 750 no. 29; second edition, 1:539f. no. 25, 540f. no. 29; and Badawī, *Muʿallafāt*, 114–18 (listing twenty-six epitomes). For two modern epitomes, see below, ch. 18, notes 8, 155. I have looked at all published and unpublished epitomes that were easily accessible to me.

¹⁵⁹ Aḥmad al-Ghazzālī made a one-volume abridgement of the *Iḥyā'* which he called the *Lubāb al-Iḥyā'* (Subkī, *Ṭabaqāt*, 6:60.7, whence Laoust, 'Survie', 158 no. 3). The work is extant (see M. Bouyges, *Essai de chronologie des oeuvres de al-Ghazali*, Beirut 1959, 135f. no. 219; also Brockelmann, *Geschichte*, second edition, 1:539f. no. 1, and Badawī, *Muʿallafāt*, 114 no. 1). I have consulted ms. Princeton, Garrett 1079H (for this manuscript, see Hitti, *Catalog*, 448 no. 1482). The treatment of the *kitāb al-amr bi'l-ma'rūf* (ff. 28b–30a) is uninteresting.

¹⁶⁰ Subkī, *Ṭabaqāt*, 7:338.6, whence Laoust, 'Survie', 161 no. 20; Ja'dī (fl. later sixth/twelfth century), *Ṭabaqāt fuḡabā' al-Yaman*, ed. F. Sayyid, Cairo 1957, 181.4; Janādī (d. 732/1331f.), *al-Sulūk fī ṭabaqāt al-ʿulamā' wa'l-mulūk*, ed. M. ʿA. H. al-Akwa' al-Ḥiwālī, Yemen 1983–, 1:344.5; Yāfī'ī (d. 768/1367), *Mir'āt al-janān*, Hyderabad 1337–9, 3:323.14. The work has been identified with an epitome of the *Iḥyā'* preserved in a Bankipore manuscript (Arabic 841, see Brockelmann, *Geschichte*, supplementary volumes, 1:748 no. 1a; Badawī, *Muʿallafāt*, 115 no. 5; *Catalogue of the Arabic and Persian manuscripts in the Oriental Public Library at Bankipore*, Calcutta and Patna 1908–46, 13:24f. no. 841). The title-page of the manuscript offers the title *Mukhtaṣar al-Iḥyā'*, which is certainly an accurate description, but gives the author's name as Muḥyī

al-Qurayzī (d. 575/1179), judge of Laḥj,¹⁶¹ two by Sharaf al-Dīn al-Mawṣilī (d. 622/1225),¹⁶² one by a certain Jamāl al-Dīn Muḥammad ibn ‘Abdallāh al-Khwārazmī al-Shāfi‘ī (d. 679/1280f?),¹⁶³ one by the Cairene Ṣūfi Bilālī (d. 820/1417),¹⁶⁴ and doubtless others. At the same time, many Shāfi‘ites writing on forbidding wrong after the time of Ghazzālī quote or make use of his treatment of the subject. Such is the case with Ibn al-

Footnote 160 (*cont.*)

‘I-Dīn Abū Zakariyyā’ Yahyā ibn Muḥammad ibn Mūsā, with a *nisba* which might be read as al-Najabī (unvowelled, with the second and third consonants unpointed). By contrast, the biographical sources usually give the Yemeni scholar’s *kunya* as Abū ‘I-Ḥusayn, say nothing of the *laqab* or *nisba* found in the manuscript, and mention Muḥammad ibn Mūsā only as a distant ancestor. However, Ḥājji Khalifā (d. 1067/1657), referring to what is likely to be the same work, gives the author’s name as Abū Zakariyyā’ Yahyā ibn Abī ‘I-Khayr al-Yamanī (*Kashf al-ẓunūn*, 24.31), and the same form appears already in Yāfi‘ī, *Mir‘āt*, 3:318.9. So the identification is plausible, though in the absence of internal evidence it is hard to feel confident of it. The abridgement of Ghazzālī’s account of forbidding wrong (*Mukhtaṣar al-Ihyā’*, ff. 63b.12–67a.13) is in any case disappointing. Ghazzālī’s analysis disappears, though the term *ḥisba* is used in one passage (*ibid.*, f. 64b.7); what remains is mostly anecdotes about rebuking rulers. I am much indebted to the Khuda Bakhsh Oriental Public Library for sending me a microfilm of the relevant parts of the manuscript. ¹⁶¹ Ja‘dī, *Ṭabaqāt*, 225.11; Janādī, *Sulūk*, 1:433.13.

¹⁶² He twice made epitomes of the *Ihyā’*, one large and one small, and used to teach from the book from memory (Ibn Khallikān (d. 681/1282), *Wafayāt al-a‘yān*, ed. I. ‘Abbās, Beirut 1971–2, 1:108.8 (remembering him from personal experience as an incomparable lecturer in Irbil, *ibid.*, 108.17); similarly Subkī, *Ṭabaqāt*, 8:39.5, whence Laoust, ‘Survie’, 164 no. 36). One of the two epitomes survives (Sharaf al-Dīn al-Mawṣilī (d. 622/1225), *Rūḥ al-Ihyā’ wa-rawḥ al-ahyā’*, ms. Oxford, Bodleian, Pocock 240, item 2; see Brockelmann, *Geschichte*, second edition, 1:540 no. 3; Badawī, *Mu‘allafāt*, 115 no. 3; and J. Uri, *Bibliothecae Bodleianae codicum manuscriptorum orientalium catalogus*, first part, Oxford 1787, 62 no. 71). The whole work occupies less than thirty not very dense folios, and Ghazzālī’s *kitāb al-amr bi’l-ma‘rūf* is reduced to less than a page (f. 53a.19–53b.16); so this must surely be the smaller of the two epitomes. I am indebted to Chase Robinson for examining the manuscript for me and sending me copies of the relevant parts.

¹⁶³ Jamāl al-Dīn Muḥammad ibn ‘Abdallāh al-Khwārazmī al-Shāfi‘ī (d. 679/1280f?), *Dhukhr al-muntahī fī ‘ilm al-jalī wa’l-khafī*, ms. London, British Library, Add. 7.275. For this work, see Brockelmann, *Geschichte*, second edition, 1:540 no. 6, and Badawī, *Mu‘allafāt*, 115 no. 6; for the manuscript, see *Catalogus codicum manuscriptorum orientalium qui in Museo Britannico asservantur, Pars secunda, codices Arabicos amplectens*, London 1846–52, 337 no. 740. The name of the author and the title of the work are given on a title-page in the same hand as the rest of the text, but do not appear in the body of the work. There is also a fragmentary manuscript in Cairo, for which see *Fihrist al-kutub al-‘Arabiyya al-mahfūza bi’l-Kutubkhāna al-Khidīviyya al-Miṣriyya*, Cairo 1305–10, 7:297.23. The cataloguers give the same title, but state the name of the author somewhat differently, adding among other things that he was a Meccan; they also supply the death date of 679/1280f., which is adopted by Brockelmann and Badawī. I have not succeeded in identifying the author in the biographical literature. He certainly post-dates Ibn al-Jawzī (d. 597/1201), since he mentions his *Minhāj al-qāṣidīn* (Khawārazmī, *Dhukhr*, f. 2b.5; cf. above, ch. 6, note 177). To judge from his introductory remarks, he was a Ṣūfi; note, for example, the oppositions *ẓāhir/bāṭin* (*ibid.*, ff. 1b.25, 2a.25), *sharī‘a/ḥaqīqa* (*ibid.*, ff. 2b.1), and *mu‘āmala/mukāshafa* (*ibid.*, f. 2a.2, 2a.13). His epitome of Ghazzālī’s treatment of forbidding wrong (*ibid.*, ff. 116b–121a) offers nothing of interest. ¹⁶⁴ The work is extant, see below, note 211.

Ukhuwwa (d. 729/1329),¹⁶⁵ ‘Alī ibn Shihāb al-Hamadānī (d. 786/1385),¹⁶⁶ Taftazānī (d. 793/1390),¹⁶⁷ Ibn al-Naḥḥās (d. 814/1411),¹⁶⁸ Dawānī (d. 908/1502),¹⁶⁹ Khunjī (d. 927/1521),¹⁷⁰ Fashnī (writing in 978/1570),¹⁷¹ Bājūrī (d. 1276/1860),¹⁷² and doubtless others¹⁷³ – but not, significantly, Āmidī (d. 631/1233)¹⁷⁴ or Nawawī (d. 676/1277).¹⁷⁵

More striking is the appearance of epitomes and customised versions of the work among other sects and schools. On the Sunnī side, we have already encountered this phenomenon among the Mālikīs.¹⁷⁶ Here Ṭurṭūshī (d. 520/1126) remarks in the introduction to his recension that, of the

¹⁶⁵ For example, compare Ibn al-Ukhuwwa, *Ma‘ālim*, 7.11–8.11, with *Iḥyā’*, 286.2–13. Most of the material of *Ma‘ālim*, 14–22 is likewise from Ghazzālī’s account (the parallels are largely unremarked by the editor).

¹⁶⁶ Hamadānī devotes the seventh chapter of his work on rulership to *al-amr bi’l-ma‘rūf* (*Dhakhīra*, 157–93; for the work in general, see Teufel, *Lebensbeschreibung*, 43–6). The structure is taken from Ghazzālī, together with most of the material. Though Hamadānī is writing in Persian, his source is the *Iḥyā’*, not the *Kīmīyā* (compare, for example, the wording on noxious dogs in *Dhakhīra*, 191.2, with that found in *Iḥyā’*, 310.32, and *Kīmīyā*, 523.11). For Hamadānī’s school allegiance, see above, ch. 12, note 188.

¹⁶⁷ Taftazānī summarises Ghazzālī’s doctrine in a few lines in his commentary on the ‘three modes’ tradition (*Sharḥ ḥadīth al-Arba‘in*, 105.24). On the other hand, he owes little or nothing to Ghazzālī in the account of *al-amr bi’l-ma‘rūf* in his *Sharḥ al-Maqāṣid* (5:171–5, for the sources of which see above, ch. 13, 351).

¹⁶⁸ Ibn al-Naḥḥās relies on Ghazzālī for the doctrinal bedrock of his account, but does not use his *ḥisba* terminology (see above, ch. 13, note 119).

¹⁶⁹ Dawānī seems to be borrowing Ghazzālī’s wording on the duty to stay at home (*Sharḥ*, 211.8; compare *Iḥyā’*, 292.17, and cf. above, 432 case (1)).

¹⁷⁰ Ghazzālī is the main source behind the chapter on the *muḥtasib* in Khunjī (d. 927/1521), *Sulūk al-mulūk*, ed. M. ‘A. Muwāḥḥid, Tehran 1362 sh., 175–99. Khunjī’s borrowing may be acknowledged (as 176.17–177.22, cf. *Iḥyā’*, 301.20–305.7), unacknowledged (as 184.21–187.10, cf. *Iḥyā’*, 289.21–291.9), or credited to an intermediate source (as 188.10–189.9, cf. *Iḥyā’*, 297.7–299.5). Khunjī’s account was brought to my attention by Mark Tulloss.

¹⁷¹ Fashnī in his commentary to the ‘three modes’ tradition cites Ghazzālī for the case of the fastidious rapist (*Majālis*, 135.4; cf. above, note 21).

¹⁷² Bājūrī likewise cites Ghazzālī for the fastidious rapist in his commentary on the versified creed of Laqānī (*Tuḥfa*, *apud* Laqānī, *Jawharat al-tawḥīd*, 202.11).

¹⁷³ A version of Ghazzālī’s survey of common wrongs turns up (without mention of his name) in an edition of the popular Egyptian catechism of Jurḍānī (d. 1331/1912f.) (see the translation in A. Jeffery, *A reader on Islam*, The Hague 1962, 512–15; the last section does not stem from Ghazzālī). See also Shīrbīnī, *Mughnī*, 4:211.12.

¹⁷⁴ Cf. above, ch. 13, 349f.

¹⁷⁵ Cf. above, ch. 13, 351f. Although he made no use of Ghazzālī’s account in his commentary on the ‘three modes’ tradition, he nevertheless ends the rather uninteresting section on *al-amr bi’l-ma‘rūf* in his later *Adhikār* by referring the reader not only to his own commentary, but also to the *Iḥyā’*, which he says is the best place to go for the doctrinal aspects (*shurūṭ wa-ṣifāt*) of forbidding wrong (Nawawī (d. 676/1277), *al-Adhikār al-muntakhaba min kalām Sayyid al-Abrār*, Cairo 1988, 418.13; I owe this reference to Mona Zaki).

¹⁷⁶ See above, ch. 14, 373 for Ṭurṭūshī (d. 520/1126), Ibn al-Rammāma (d. 567/1172), Abū ‘Alī al-Masīlī (fl. second half of the sixth/twelfth century), and also Khazraǧī (d. 539/1145). Ismā‘īl Pāshā al-Baghdādī ascribes an epitome of the *Iḥyā’* to Wādī Ashī (d. 657/1259) (*Hadiyyat al-‘arifin*, 2:126.29; I owe this reference to Maribel Fierro).

countless works on piety (*taqwā*), the *Revival* is the best, but that it suffers from a number of faults which he proceeds to list.¹⁷⁷ Among the Ḥanbalites, it was Ibn al-Jawzī (d. 597/1201) who went to work in this way.¹⁷⁸ Someone going into spiritual retreat wanted a book to take with him, and chose the *Revival*, claiming it to be unique of its kind (*infirāduhu fī jinsihi*); Ibn al-Jawzī responded by pointing out the hidden faults of the book, and undertaking to remedy them in his recension.¹⁷⁹ Among the Ḥanafīs, we possess an epitome of the work which may date from the early ninth/fifteenth century, on which ‘Alī al-Qārī (d. 1014/1606) wrote a commentary which in effect restores much material omitted by the epitomiser.¹⁸⁰ On the Ibādī side, there is the recension of Jayṭālī (d. 750/1349f.);¹⁸¹ the background to this is perhaps the popularity of the work in North Africa under the Almohads (r. 524–668/1130–1269).¹⁸² On the Shī‘ite side, both the Zaydīs and Imāmīs have their versions of the work – though not, so far as I know, the Ismā‘īlīs. The Zaydīs owe their recension to the imam al-Mu‘ayyad Yaḥyā ibn Ḥamza (d. 749/1348f.);¹⁸³ this version is likely to reflect the currency of the work among the Yemeni Shāfi‘ites.¹⁸⁴ The Imāmī recension was produced by Muḥsin al-Fayḍ (d. 1091/1680);¹⁸⁵ he explains that the *Revival*, for all its considerable virtues, was unfortunately written by Ghazzālī before his conversion to Shī‘ism, and that consequently much of it is based on false Sunnī principles (*uṣūl ‘ammīyya fāsida*).¹⁸⁶ The relative

¹⁷⁷ See the passage published in Manūnī, ‘*Ihyā*’, 135.10. Compare also the remark of Qāḍī ‘Iyād (d. 544/1149) reported by his son that it would be good to make an epitome of the *Ihyā*’ containing only its sound elements (*mā fībi min khāliṣ al-‘ilm*) (Muḥammad ibn ‘Iyād (d. 575/1179f.), *al-Ta’rīf bi’l-Qāḍī ‘Iyād*, ed. M. Sharīfā, n.p. n.d., 106.12, cited in S. Ghurāb, ‘Hawl iḥrāq al-Murābiṭīn li-*Ihyā*’ al-Ghazzālī’, in *Actas del IV Coloquio Hispano-Tunecino*, Madrid 1983, 153).¹⁷⁸ See above, ch. 6, note 177.

¹⁷⁹ Aḥmad ibn Qudāma, *Mukhtaṣar*, 3.1; also Ibn al-Jawzī, *Muntaẓam*, ed. Hyderabad, 9:170.6.¹⁸⁰ See above, ch. 12, 320f.

¹⁸¹ See above, ch. 15, 401–3, and cf. 423f.

¹⁸² For this see Manūnī, ‘*Ihyā*’, 132–4.

¹⁸³ For the *Taṣfiya* of Yaḥyā ibn Ḥamza, see above, ch. 10, 246; for the influence of Ghazzālī in Yaḥyā ibn Ḥamza’s *Shāmīl*, see above, ch. 10, 246f.

¹⁸⁴ See above, notes 160f., for two epitomisers in this milieu. A third Yemeni Shāfi‘ite, Muḥammad ibn ‘Umar al-‘Imrānī (d. 572/1176f.), is known to have set about copying the *Ihyā*’ (Ja’dī, *Ṭabaqāt*, 193.7; Janādī, *Sulūk*, 1:392.12).

¹⁸⁵ See above, ch. 11, note 219. He entitles his recension *al-Maḥajja al-bayḍā’ fī tahdhīb al-Ihyā’*, or, if you prefer, *fī ihyā’ al-Ihyā’* (Fayḍ, *Maḥajja*, 1:3.17). In the *kitāb al-amr bi’l-ma‘rūf*, Muḥsin al-Fayḍ is a fairly drastic editor: he introduces Imāmī traditions (see, for example, *Maḥajja*, 4:102.4, 107.6), freely discards Ghazzālī’s analysis as based on the false principles of the Sunnis (*uṣūlulhum al-fāsida*, *ibid.*, 106.7), and turns the sectarian knife after recounting an anecdote of Ghazzālī’s in which a libertine caught in the act rebukes ‘Umar for intrusion (*ibid.*, 109.11); see also above, ch. 11, notes 285f. (on rudeness to rulers). It is striking that Muḥsin al-Fayḍ, despite his initial complimentary remark on Ghazzālī’s organisation of his material (see above, note 154), makes little use of the schemas set out by Ghazzālī in the *kitāb al-amr bi’l-ma‘rūf*.

¹⁸⁶ Fayḍ, *Maḥajja*, 1:1.6. For a sceptical review of the Imāmī reports of Ghazzālī’s conver-

dates at which the various Muslim sects and schools get their recensions are suggestive of the relative distance between each of them and the Shāfi'ites: the Mālikīs by or even before the beginning of the sixth/eleventh century, the Ḥanbalites later in the sixth/eleventh century, the Zaydīs and Ibādīs in the eighth/fourteenth century, the Imāmīs in the eleventh/seventeenth.¹⁸⁷ But even the Christians had their version.¹⁸⁸

At the same time the work was often mined by other non-Shāfi'ite authors writing on forbidding wrong. We have seen this among the Mālikīs with Ibn al-Munāṣif (d. 620/1223),¹⁸⁹ among the Ḥanbalites with Zayn al-Dīn al-Ṣāliḥī (d. 856/1452),¹⁹⁰ among the Ḥanafīs with a whole series of authors,¹⁹¹ and likewise among the Imāmīs.¹⁹² Ghazzālī's terminology further left its mark on Koranic exegesis.¹⁹³

But the work did not please everyone. The controversy surrounding it was most visible in the west, where the book is likely to have been available as early as 495/1101f.¹⁹⁴ It was the target of hostile tracts among the

sion, see Khwānsārī (d. 1313/1895), *Rawḍat al-jannāt*, Tehran and Qumm 1390–2, 8:3–19 (I am indebted to Etan Kohlberg for this reference).

¹⁸⁷ The Imāmīs had, of course, heard of Ghazzālī long before Muḥsin al-Fayḍ: Ibn Ṭāwūs (d. 664/1266) has citations from the *Iḥyā'* (Kohlberg, *Ibn Ṭāwūs*, 188 no. 188). If the Ḥanafīs did not make themselves a version of the *Iḥyā'* before the ninth/fifteenth century, this is surprisingly late. ¹⁸⁸ See below, appendix 2.

¹⁸⁹ See above, ch. 14, 371f. Note also that Ibn al-Zayyāt (*Tashawwuf*, 100.13) quotes a prayer recommended by Khadīr from the *kitāb al al-amr bi'l-ma'rūf* of the *Iḥyā'* (322.35).

¹⁹⁰ See above, ch. 7, 162 (and cf. ch. 8, note 121, on the use of the book by Bayṭār (d. 1396/1976) in his articles in *Umm al-qurā*).

¹⁹¹ See the information given above, ch. 12, regarding the following authors: Ya'qūb ibn Seyyid 'Alī (d. 931/1524f.) (note 103), Kemālpāshāzāde (d. 940/1534) (note 104), Ṭāshkōprizāde (d. 968/1561) (321f.), Qarabāghī (tenth/sixteenth century?) (note 105), 'Iṣmāt Allāh of Sahrānpūr (d. 1133/1720f.) (322f.), Ismā'īl Ḥaqqī (d. 1137/1725) (notes 98f.), 'Abd al-Ghanī al-Nābulūsī (d. 1143/1731) (note 154), and Haydarizāde (d. 1349/1931) (331–3), whence Osman Nuri (d. 1381/1961) (330f.). For two cases of Ḥanafīs using *ḥisba* and *iḥtisāb* in Ghazzālī's sense, see above, ch. 12, note 145.

¹⁹² For the appearance of the Ghazzālīan terminology of *al-amr bi'l-ma'rūf* among the Imāmīs well before Muḥsin al-Fayḍ, see above, ch. 11, note 298. A later author who incorporates much Ghazzālīan material left aside by Muḥsin al-Fayḍ is Maḥdī al-Narāqī. Thus he includes Ghazzālī's levels of response (*Jāmi' al-sa'ādāt*, 2:246.13) and his survey of common wrongs (*ibid.*, 249–51; both are carried over in his son's Persian rendering, *Mi'rāj al-sa'āda*, 519.5, 519.26); Muḥsin al-Fayḍ, by contrast, includes only one of Ghazzālī's levels (*Maḥajja*, 4:110.13), and dismisses Ghazzālī's survey as useless (*ibid.*, 111.22). For Narāqī's use of Ghazzālī's *ḥisba* terminology, abandoned by his son, see above, ch. 11, note 298. Qāḍī Sa'īd al-Qummī had likewise adopted Ghazzālī's schema of levels (*Sharḥ Tawḥīd al-Ṣadūq*, 1:742.16), editing them in a manner that may in turn have influenced Narāqī. ¹⁹³ See above, ch. 2, note 36.

¹⁹⁴ Abū Bakr ibn al-'Arabī (d. 543/1148) heard it from Ghazzālī himself in 490/1097 (F. Jabre, 'La biographie et l'oeuvre de Ghazzālī reconsidérées à la lumière des *Ṭabaqāt* de Sobkī', *MIDEO*, 1 (1954), 87f., citing Ibn al-'Arabī, *al-'Awāṣim min al-qawāṣim*, ed. 'A. Ṭalībī, in his *Ārā' Abī Bakr ibn al-'Arabī al-kalāmīyya*, Algiers n.d., 2:30.10). Ibn al-'Arabī returned from his travels in 495/1101f. (*ibid.*, 290.2, cited in Manūnī, '*Iḥyā'*', 126 n. 7).

scholars;¹⁹⁵ one of them, the same Ṭurtūshī who made a recension of the work, pronounced that the *Revival* ought to be burnt.¹⁹⁶ It was also the object of official persecution on the part of rulers of the Almoravid dynasty (r. 454–541/1062–1147).¹⁹⁷ We have the text of an edict sent to Valencia in 538/1143 by the Almoravid ruler Tāshufīn ibn ‘Alī (r. 537–40/1142–6) ordering that special efforts be made to root out and burn copies of the works of Ghazzālī, with binding oaths to be administered to those suspected of concealing them.¹⁹⁸

Just as the book as a whole could disturb people, so also Ghazzālī’s treatment of forbidding wrong. As we have seen, his views on this subject are marked by a certain flirtation with radicalism.¹⁹⁹ In this Ghazzālī may have owed something to his teacher Juwaynī,²⁰⁰ and he may also have been reacting to the Ḥanafī chauvinism of the Seljūq rulers of his day. The duty of course extends to every one,²⁰¹ not just rulers and scholars. More remarkably, he is prepared to allow individual subjects to have recourse to weapons where necessary,²⁰² and even to sanction the formation of armed bands to implement the duty without the permission of the ruler.²⁰³ And while there is no question of countenancing rebellion, Ghazzālī is no accommodationist: he displays great enthusiasm for men who take their lives in their hands and rebuke unjust rulers in harsh and uncompromising language.²⁰⁴ In espousing such views Ghazzālī may have been pushing

¹⁹⁵ For Ṭurtūshī, see Fierro’s discussion of his epistle to one Ibn al-Muẓaffar in her introduction to her translation of his *Ḥawādith*, 61–4 no. 19. For Ibn Ḥamdīn (d. 508/1114), *qāḍī* of Cordoba, see Manūnī, ‘*Iḥyā*’, 127 n. 11. For Māzarī (d. 536/1141, if this is the right Māzarī), see *ibid.*, 130f. (with remarks on the question which Māzarī is the author of the work in question). For Ilbīrī (d. 537/1142f.), see *ibid.*, 131.

¹⁹⁶ See the text from his epistle to Ibn al-Muẓaffar published in Ghurāb, ‘*Iḥrāq*’, 162.4; also in Wansharīsi, *Mi’yār*, 12:187.13.

¹⁹⁷ For the literary sources, see Manūnī, ‘*Iḥyā*’, 127–30. Ghurāb is inclined to view the historicity of the burning with scepticism, or as having happened only on a small scale (see his summing-up in his ‘*Iḥrāq*’, 155). His main arguments are that the literary sources, which are of the Almohad period, are biased against the Almoravids (*ibid.*, 150), and that the biographies of Ibn Ḥamdīn make no mention of the burning (*ibid.*, 145). Each of these points has merit, but given Ṭurtūshī’s approval of the burning of the book, and the edict of 538/1143, what the literary sources tell us is entirely plausible.

¹⁹⁸ H. Mu’nis, ‘Nuṣūṣ siyāsiyya ‘an fatrat al-intiqāl min al-Murābiṭīn ilā ‘l-Muwahḥidīn’, *Majallat al-Ma’had al-Miṣrī lil-dirāsāt al-Islāmiyya fī Madrīd*, 3 (1955), 113.4, cited in Manūnī, ‘*Iḥyā*’, 128. Cf. the shocked marginal protest transcribed by Mu’nis in his footnote.

¹⁹⁹ As noted by Madelung (‘*Amr be ma’rūf*’, 994a; cf. Lambton, *State and government*, 312).

²⁰⁰ Cf. above, ch. 13, 346.

²⁰¹ Note particularly the formulations of the Persian (above, notes 14, 27).

²⁰² See above, 441, and contrast Juwaynī’s view (above, ch. 13, note 54). This difference is noted by Madelung (‘*Amr be ma’rūf*’, 994b). ²⁰³ See above, note 91.

²⁰⁴ Note how the need to respect the majesty (*hayba*) of rulers (see above, note 34) has been forgotten by the time we get to the chapter on rebuking them (see above, note 121).

against the limits of Sunnī political attitudes to established authority, and on occasion his nerve seems to falter.²⁰⁵ It is not surprising that posterity had more or less extensive reservations with regard to these matters.

It was Ghazzālī's views on armed bands that provoked the most widespread dissent. Scholars borrowing his account often modified it to recommend or require the permission of the ruler for such activity: so the Ḥanbalite Ibn al-Jawzī,²⁰⁶ the Mālikī Ibn al-Munāṣif,²⁰⁷ an epitomiser writing in 689/1291,²⁰⁸ the Zaydī Yaḥyā ibn Ḥamza (speaking also for the Mu'tazilites),²⁰⁹ Hamadānī,²¹⁰ the Shāfi'ite Ṣūfī Bilālī,²¹¹ and the Ḥanafī Ṭāshköprizāde (d. 968/1561).²¹² Some exclude the use of arms by individuals, as does Ṭāshköprizāde,²¹³ or even deny them recourse to physical

²⁰⁵ At the point at which the Arabic allows the formation of armed bands without official permission, the Persian sits on the fence (see above, note 91); and in an earlier passage the Persian favours such permission (see above, note 28). ²⁰⁶ See above, ch. 6, note 182.

²⁰⁷ See above, ch. 14, notes 105, 107.

²⁰⁸ 'Alī ibn Muḥammad ibn Aḥmad al-Rāzī (writing 689/1291), *al-Mustakblaṣ min Iḥyā' 'ulūm al-dīn*, ms. Istanbul, Süleymaniye, Aya Sofya 2,097, f. 86b.20, stating that it is best not to seek helpers without the command of the ruler, since the common people ('*awāmm*') cannot be trusted to persist in the path of the law unless there is someone to restrain them ('*illā bi-wāzi'*'). The work is mentioned by Brockelmann (*Geschichte*, second edition, 1:540 no. 4) and Badawī (*Mu'allafāt*, 115 no. 4); I have not been able to identify the author, and do not know to which law-school he belonged (doubtless he was a Shāfi'ite or a Ḥanafī). The manuscript contains Persian interlinear glosses (see, for example, ff. 85b, 86b). ²⁰⁹ See above, ch. 10, note 135, and cf. note 116.

²¹⁰ Hamadānī, *Dhakhīra*, 168.20 (cf. above, note 28). But when he comes to Ghazzālī's main discussion of the issue (cf. above, 441), he gives us Ghazzālī's eighth level without flinching (*ibid.*, 179.2).

²¹¹ Shams al-Dīn Muḥammad ibn 'Alī al-Bilālī (d. 820/1417), *Jannat al-ma'ārif* (alternative title: *Iḥyā' al-Iḥyā' fī 'l-taṣawwuf*), ms. Istanbul, Süleymaniye, Fatih 2,604, f. 45a.17, stating that if helpers are needed, it depends on the ruler's permission. This epitome of the *Iḥyā'* was written in 807/1405 (*ibid.*, f. 95b.11); it is mentioned by Brockelmann (*Geschichte*, supplementary volumes, 1:749 nos. 10, 18, and the correction *ibid.*, second edition, 1:540 no. 18) and Badawī (*Mu'allafāt*, 116 no. 10, 117 nos. 18, 21, 118 no. 26). Bilālī, a Shāfi'ite living in Cairo, was above all a Ṣūfī (Sakhāwī, *Daw'*, 8:178f. no. 439); he was a devotee of the *Iḥyā'*, which he almost knew by heart, and his epitome was a considerable success, particularly with the Maghribis (*ibid.*, 178.8, 178.24).

²¹² See above, ch. 12, note 114 (and cf. also note 102).

²¹³ See above, ch. 12, note 112. In an anonymous Persian mirror for princes written a couple of generations after Ghazzālī by an author familiar with his *Iḥyā'* and *Kīmīyā*, we read that the use of arms by the common people ('*awāmm*') is a matter of dispute among the scholars; most theologians (*ahl-i uṣūl*) hold that such action is reserved to the ruler (*pādishāh*), but some jurists (*fuqahā*) permit it if it works (anon., *Baḥr al-fawā'id* (in Persian), ed. M. T. Dānīshpazhūh, Tehran 1345 sh., 187.11 = J. S. Meisami (trans.), *The sea of precious virtues*, Salt Lake City 1991, 130; and cf. *ibid.*, 189.19 = 132). The work was written in Syria for a ruler of Marāgha during the reign of the caliph al-Muqtafi (r. 530–55/1136–60) (see Meisami's introduction to her translation). The author was such a firm believer in Ḥanafī–Shāfi'ite détente that his school affiliation is not made explicit; though Meisami considers him a Shāfi'ite, he might be the Ḥanafī Abū Bakr ibn Aḥmad al-Balkhī (d. 553/1158), who taught in Marāgha before moving to Aleppo (see Madelung, 'The spread of Māturīdism', 149; also Ibn al-'Adīm (d. 660/1262), *Bughyat al-ṭalab*, ed. S. Zakkār, Damascus 1988–9, 4,341–3).

violence of any kind without the ruler's permission, as do Ibn al-Jawzī,²¹⁴ Bilālī,²¹⁵ and Ṭashköprizāde.²¹⁶ Several are unhappy with Ghazzālī's celebration of heroic incivility to rulers: so Ibn al-Jawzī,²¹⁷ Hamadānī,²¹⁸ Bilālī²¹⁹ and the Imāmī Muḥsin al-Fayḍ.²²⁰ There are, of course, authors who transcribe Ghazzālī's views without protest;²²¹ this may reflect approval, or simply the habit of copying from great books. But it is only the western Ibādī Jayṭālī who actually outdoes Ghazzālī in activism: he strongly endorses armed bands, favours speaking out against unjust rulers even where this will bring harm to others, and makes clear his positive attitude to righteous rebellion.²²²

One figure whom it is tempting to see as an heir of Ghazzālī's activist doctrine of forbidding wrong is the Moroccan Maḥdī Ibn Tūmart (d. 524/1130), the founder of the Almohad movement. That there is some linkage between this movement and Ghazzālī is clear. Though the story of Ibn Tūmart's encounter with Ghazzālī is likely to be apocryphal,²²³ he did study with Ṭurṭūshī,²²⁴ who as we have seen was the author of a recension of the *Revival*. It was, moreover, in part thanks to the rise of the Almohads that the work achieved widespread popularity in the western Islamic world.²²⁵ At the same time, forbidding wrong is a prominent theme in the biography of Ibn Tūmart, particularly in the context of his long journey home from the east.²²⁶ He is reported to have been thrown into the sea for

²¹⁴ See above, ch. 6, note 180.

²¹⁵ Bilālī, *Jannat al-ma'ārif*, f. 45a.8, reserving beating to the imam.

²¹⁶ See above, ch. 12, note 110. ²¹⁷ See above, ch. 6, notes 186–8.

²¹⁸ Hamadānī's version of Ghazzālī's first treatment of this question (see above, note 33) rules out anything that goes beyond informing and counselling as impossible (*Dhakhira*, 171.18); and he simply omits the whole chapter which Ghazzālī devotes to rebuking rulers (cf. *ibid.*, 193.20).

²¹⁹ Bilālī, *Jannat al-ma'ārif*, f. 45a.9, stating that the ruler may only be informed or counselled; again, this is with regard to Ghazzālī's first treatment of the issue.

²²⁰ See above, ch. 11, notes 285f.

²²¹ See, for example, above, ch. 13, note 123, on the Shāfi'ite Ibn al-Naḥḥās; above, ch. 7, note 119, on the Ḥanbalite Zayn al-Dīn al-Ṣāliḥī; and above, ch. 12, notes 118–21, on the Ḥanafī 'Iṣmat Allāh of Sahāranpūr. Wansharīṣī (d. 914/1508) lists Ghazzālī's treatment of *al-amr bi'l-ma'rūf* among the unexceptionable parts of the *Iḥyā'* (*Mi'yār*, 12:184.15), but without going into detail.

²²² See above, ch. 15, 402f. As might be expected, modern Muslim reactions to Ghazzālī's activism have been more mixed than those of pre-modern times (see above, ch. 12, 332, and below, ch. 18, notes 86f. and 526–8).

²²³ See R. Le Tourneau, *The Almohad movement in North Africa in the twelfth and thirteenth centuries*, Princeton 1969, 6–9. For a recent attempt to rehabilitate the story, see M. Fletcher, 'Ibn Tūmart's teachers: the relationship with al-Ghazālī', *Al-Qanṭara*, 18 (1997).

²²⁴ See Fierro's introduction to her translation of Ṭurṭūshī, *Ḥawādith*, 98f. no. 28.

²²⁵ See Manūnī, '*Iḥyā'*', 132f.

²²⁶ See, in addition to the references given in the following notes, 'Abd al-Wāḥid al-Marrākushī (writing 621/1224), *Mu'jib*, ed. R. Dozy, Leiden 1881, 128.10, 129.4; Ibn

such activity on the ship he boarded at Alexandria.²²⁷ In Bijāya he scattered a mixed crowd of men and women, who were celebrating the end of the Ramaḍān fast, by laying about him right and left with a cudgel.²²⁸ In Tlemsen he disrupted a wedding procession, breaking tambourines and sweeping the bride from the saddle.²²⁹ In Āgarsīf he took exception to a crucifixion, protesting that only the dead should be crucified, not the living.²³⁰ But unfortunately the sources, and in particular Ibn Tūmart's extant writings, tell us nothing of his doctrine of forbidding wrong.²³¹ Any attempt to trace its affinities must accordingly be pure speculation.²³²

5. EXCURSUS: THE ŠŪFĪS

Ghazzālī was, among other things, a Šūfī. Šūfism, however, is a somewhat vague term, and should probably remain so.²³³ We might be tempted to see Šūfism as a kind of alternative Islam, were it not that in many historical contexts it simply was Islam. What is clear is that the Šūfīs are not a group comparable to the sects and schools with which we have been concerned in previous chapters. Rather they represent a domain of piety to which neither religious law nor religious politics are central. In itself, of course, this does not say very much. The Šūfī persuasion can take any form from a scrupulously observant asceticism to a wild antinomian mysticism,

Abī Zarʿ, *Rawḍ al-qirtās*, 1:111.6, 111.16, 111.22 (emphasising that Ibn Tūmart had no official permission to perform the duty), 111.26, 112.1 (implying that *qudra* is a condition of obligation); and above all Baydhaq (sixth/twelfth century), *Taʾrīkh al-Muwahhīdīn*, apud E. Lévi-Provençal (ed.), *Documents inédits d'histoire almohade*, Paris 1928, 53.1, 60–63, 66.16. For modern discussions of this record, see, for example, Goldziher, *Livre*, 96f.; Le Tourneau, *Almohad movement*, 15f.; Chalmers, *El 'señor del zoco'*, 481–3; García-Arenal, 'Práctica', 156. Cf. also the letters of Ibn Tūmart in Lévi-Provençal, *Documents inédits*, 6.1, 8.17. In one anecdote, Ibn Tūmart is asked at whose command he engages in *ḥisba*; his answer is 'God and His Prophet' (Baydhaq, *Taʾrīkh*, 53.2, cited by García-Arenal).²²⁷ 'Abd al-Wāhid, *Muʿjib*, 129.6.

²²⁸ Baydhaq, *Taʾrīkh*, 52.10. ²²⁹ *Ibid.*, 60.4.

²³⁰ *Ibid.*, 62.1. Ibn Tūmart is attacking a practice which is in accord with Mālikī law (see *EP*², art. 'Ṣalb' (F. E. Vogel); Ṣaḥnūn, *Mudawwana*, 6:299.9).

²³¹ For an attempt to get round this silence by extending to *al-amr bi'l-ma'rūf* what Ibn Tūmart says about *al-qiyām bi-amr Allāh*, see 'A. al-Najjār, *al-Mahdī Ibn Tūmart*, n.p. 1983, 276–8, whence doubtless A. Ben Hamadi, 'Y a-t-il une influence khāriġite dans la pensée d'Ibn Tūmart?', in *Mélanges offerts à Mohamed Talbi*, Tunis 1993, 20f. (drawn to my attention by Maribel Fierro). Najjār cites Ibn Tūmart (d. 524/1130), *A'azz mā yutlab*, apud Goldziher, *Livre*, 256.12 (= ed. 'A. Ṭālibī, Algiers 1985, 238.10).

²³² The linkage with Ghazzālī was plausibly suggested by Goldziher (*Livre*, 96), followed by García-Arenal ('Práctica', 156). A less plausible line of speculation has led some scholars to the Khārijites (D. Urvoy, 'La pensée d'Ibn Tūmart', *Bulletin d'Etudes Orientales*, 27 (1974), 35; Ben Hamadi, 'Y a-t-il une influence khāriġite?', 17–22).

²³³ I should emphasise that Šūfī literature is not one I read in the course of a normal day. Hence my documentation in this section is likely to be relatively poor, and my understanding of it somewhat crude. But I think the main outlines of what follows are correct.

from an abject political quietism to a ferocious political activism. But either way, religious law and politics – the domains within which forbidding wrong is at home – are not constituents of Šūfism as such.

It is accordingly fruitless to go in search of anything that could be called the Šūfī theory of forbidding wrong. Indeed an inspection of the tables of contents of the classical handbooks of Šūfism rapidly reveals that forbidding wrong is just not a Šūfī topic.²³⁴ There are, of course, some Šūfis who give space to forbidding wrong, but in these instances there is usually little or nothing to indicate that they are writing as Šūfis. An obvious example is Ghazzālī himself. As we have seen, his treatment is long and highly individual; yet there is little in it that could be characterised as specifically Šūfī. Suggestive points might be his recourse to psychological insight,²³⁵ his warning against the temptation of the ego-trip,²³⁶ and his recommendation that one minimise one's dependence on others (*taqlīl al-ʿalāʾiq*).²³⁷ But these points are marginal to the account as a whole.²³⁸ Another example is Šūfī Koranic exegesis; a Šūfī commentator is naturally bound to give some attention to those verses that speak of forbidding wrong. A case in point is the well-known Šūfī writer Qushayrī (d. 465/1072).²³⁹ In his comments on Q3:104 and Q3:110, he departs from mainstream exegesis by ignoring the standard scholastic issues and adopting a straightforward moralistic and pietistic tone. But despite some Šūfī colouring, there is nothing in what he says that amounts to a Šūfī interpretation of the duty.²⁴⁰

This lack of any intrinsic link between Šūfism and forbidding wrong does not, of course, carry the implication that they were incompatible. Šūfis were Muslims like anyone else. Ḥārith al-Muḥāsibī (d. 243/857f.), an early moralist and mystic,²⁴¹ says of the gnostics (*ahl al-maʿrifa biʾllāh*) that the basis of their way includes sincere cultivation of forbidding wrong.²⁴² Sahl

²³⁴ Likewise in looking through Sulamī's biographies of Šūfis, I found only two sayings that mention forbidding wrong, and in neither case were the sentiments distinctively Šūfī (Sulamī (d. 412/1021), *Ṭabaqāt al-Šūfiyya*, ed. N. Shurayba, Cairo 1969, 226.9, 508.10; for a biographical reference, see below, note 265). ²³⁵ See above, 439.

²³⁶ See above, 439, and below, 461f. ²³⁷ See above, note 97.

²³⁸ For another instance of a Šūfī whose account of forbidding wrong shows little Šūfī influence, see below, note 258.

²³⁹ For Qushayrī see *EI*², art. 'Qushayrī' (H. Halm).

²⁴⁰ Qushayrī (d. 465/1072), *Laṭāʾif al-ishārāt*, ed. I. Bisyrūnī, Cairo n.d.–1971, 1:270.8, 282.6 (where a Šūfī colouring appears in the definitions of *maʿrūf* and *munkar*). His commentary on the other major verses bearing on forbidding wrong has nothing noteworthy to offer, but see also below, note 259. As might be expected, there is a much stronger Šūfī colouring in the commentary on the same verses of Muḥyī 'l-Dīn ibn al-ʿArabī (d. 638/1240), *Tafsīr*, Beirut 1968, 1:206.17, 209.19; on this see also below, note 279.

²⁴¹ For a brief account of his life and thought, see *EI*², art. 'Muḥāsibī' (R. Arnaldez).

²⁴² Ḥārith al-Muḥāsibī (d. 243/857f.), *Risālat al-mustarshidīn*, ed. ʿA. Abū Ghudda, Aleppo 1974, 100.5.

al-Tustarī (d. 283/896), a major figure in early Šūfism,²⁴³ developed a Šūfistic conception of a religious leader appointed by God; he describes this leader as, among other things, establishing the forbidding of wrong.²⁴⁴ At the same time people referred to in the sources as Šūfis freely engage in forbidding wrong. The Baghdādī Abū 'l-Ḥusayn al-Nūrī (d. 295/907f.), about to break a boatload of amphorae containing the caliph's wine, was addressed by the boatman as a 'meddlesome Šūfī' (*ṣūfī fuḍūlī*).²⁴⁵ Under conditions of political chaos in Alexandria in the year 200/816, we are told that there appeared in the city 'a group called the Šūfis' (*ṭā'ifa yusammawn al-ṣūfiyya*) who commanded right, or so they claimed, and challenged the local governor (*sultān*); they were led by a certain Abū 'Abd al-Raḥmān al-Šūfī, who was one of their number.²⁴⁶ How we should understand their activity is not clear: was their intention to enforce moral puritanism on the population, to restore public order, or to seize power by outright rebellion? But whatever it was, commanding right was the name of their game.²⁴⁷

Beyond this general compatibility, there are two points at which the Šūfis have something of their own to say about forbidding wrong, for all that these contributions do not amount to a Šūfī theory of the duty as a whole.

The first is a matter of ascetic psychology. Forbidding wrong can be an act of great altruism, but it can also become an ego-trip. The point is made by authorities of such widely different periods as Dāwūd al-Ṭā'ī (d. 165/781f.), a precursor of Šūfism,²⁴⁸ Ghazzālī, who gives the theme characteristic development;²⁴⁹ and 'Abd al-Ghanī al-Nābulusī (d. 1143/1731), who uses it to discourage forbidding wrong altogether.²⁵⁰ The insight is not one attainable only by Šūfis. It was also vouchsafed to Abū 'l-Layth al-Samarqandī (d. 373/983), who illustrated it with a story about a zealot who set out to cut down a sacred tree.²⁵¹ But sensitivity to the lure of egotism has at least an elective affinity with Šūfism. Sunāmī in the early eighth/fourteenth century clearly regarded it as a Šūfī idea, since he

²⁴³ For a short account of his life and thought, see *EI*², art. 'Sahl al-Tustarī' (G. Böwering).

²⁴⁴ Abū Nu'aym, *Hilya*, 10:190.16 (*aqāma 'l-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*), translated in G. Böwering, *The mystical vision of existence in classical Islam*, Berlin and New York 1980, 65. This passage was drawn to my attention by Maribel Fierro.

²⁴⁵ *Ihyā'*, 325.34; and cf. Dhahabī, *Siyar*, 14.76.3, and his *Ta'rikh al-Islām*, years 291–300, 71.10. For the story, see below, note 257; for Nūrī, see *EI*², art. 'Nūrī, Abū 'l-Ḥusayn' (A. Schimmel). ²⁴⁶ Kindī, *Wulāt*, 162.2. I owe this reference to Patricia Crone.

²⁴⁷ There are other examples. For Abū 'l-Rabī' al-Šūfī, a doubtless younger contemporary of Sufyān al-Thawrī (d. 161/778), see above, ch. 4, 81. For the companions of the Egyptian 'Isā ibn al-Munkadir (d. after 215/830), see above, ch. 14, note 209.

²⁴⁸ See above, ch. 4, note 56. ²⁴⁹ See above, 439. ²⁵⁰ See above, ch. 12, 327f.

²⁵¹ See above, ch. 12, note 38, and cf. above, ch. 6, note 160.

remarks that the Šūfis add to the conditions for forbidding wrong that one's ego should not be involved – if it is, one should not proceed.²⁵² Likewise 'Abd al-Ghanī gives the idea an explicit Šūfī reference by insisting that only a deep understanding of Šūfism can provide us with the requisite self-knowledge to assay our motives.²⁵³

Two anecdotes related by Ghazzālī and others may serve to illustrate the sensibility behind this thinking. One concerns Abū Sulaymān al-Dārānī (d. 205/820f.), an ascetic of Dārayyā near Damascus.²⁵⁴ He relates that he once heard a caliph say something objectionable, and wanted to take a stand against it (*an unkir 'alayhi*). But he knew that he would lose his life if he did so, and decided not to. What stopped him, he explained, was not the prospect of being killed; rather it was that there were many people present, and he feared that he might be motivated by vanity.²⁵⁵ The second anecdote is about Abū 'l-Ḥusayn al-Nūrī, whom we met as a 'meddlesome Šūfī'.²⁵⁶ It starts with the observation that he was a man given to minding his own business, but would right a wrong if he saw one. One day at the riverside he noticed a boat with a suspicious cargo of thirty amphorae. He pressed the boatman to tell him what was in them, and learnt that the cargo was wine belonging to the caliph al-Mu'taḍid (reigned 279–89/892–902). Nūrī thereupon broke all but one of the amphorae. For this he was taken before the caliph, who, among other things, was curious to know why he had left that single amphora intact. Nūrī explained that in the course of his rampage his inner state had changed: at first he had acted because God was demanding that he do so, but when he came to the last amphora, he became aware of self-conceit, and desisted.²⁵⁷

The second contribution of the Šūfis to forbidding wrong is more dramatic, and at the same time incontrovertibly their own. The idea is that Šūfis can use their spiritual powers to right wrongs in ways that bypass the clumsy recourse to hand and tongue that is the lot of ordinary mortals. This is what the Qādiri Šūfī Zayn al-Dīn al-Šālīḥī calls righting wrongs through spiritual

²⁵² Sunāmī, *Niṣāb*, 198.13, whence Rajab ibn Aḥmad al-Āmidī, *Wasīla*, 2:770.1. Cf. above, ch. 12, note 138. ²⁵³ See above, ch. 12, note 159.

²⁵⁴ He was sufficiently well remembered for Sam'ānī to go to Dārayyā to visit his tomb (*Ansāb*, 5:271.4).

²⁵⁵ Ghazzālī, *Iḥyā'*, 292.27; and see Khaṭīb, *Ta'riḫ al-Baḡdād*, 10:249.3, and Ibn al-Jawzī, *Šifa*, 4:223.17, where the caliph is al-Manṣūr (r. 136–58/754–75) and his offence is specified. Ghazzālī's version, though historically vaguer, is conceptually richer.

²⁵⁶ See above, note 245, and also note 133.

²⁵⁷ Ghazzālī, *Iḥyā'*, 325.29; and cf. Dhahabī, *Siyar*, 14:76.1, translated in Gramlich, *Alte Vorbilder*, 1:386f., and Dhahabī, *Ta'riḫ al-Islām*, years 291–300, 71.8. The same story is told, anachronistically, about the Šūfī Abū Bakr al-Shiblī (d. 334/945f.) (Sunāmī, *Niṣāb*, 198.14, whence Rajab, *Wasīla*, 769.22).

state (*inkār al-munkar bi'l-ḥāl*); he goes on to illustrate the technique with a collection of nine anecdotes.²⁵⁸ But he was clearly not the inventor of the idea, since he quotes an earlier Ṣūfī, who practised the method, as saying: 'Inwardly righting a wrong through state is better than outwardly righting it through words.'²⁵⁹ A contemporary of Ṣāliḥī, the Egyptian Ṣūfī Ibrāhīm al-Matbūlī (d. 877/1472),²⁶⁰ integrated this technique into an old schema by giving the tripartite division of labour a Ṣūfī twist. Action with the hand, he said, is for the authorities, who beat but are not beaten, and action with the tongue is for scholars who practice what they preach. But action with the heart is for the gnostics (*ʿarīfūn*), whose contempt for themselves precludes their forbidding others. Instead, such a man will turn to God in his heart to stop the wrongdoing, and in that way the offender will desist. This, he says, is taking action against wrong in a real sense (*fa-hādhā huwa 'l-taḡhyr ḥaqīqatan*), whereas merely registering a protest in the heart is not.²⁶¹

Again, some anecdotes may help to convey what is involved here. One concerns the well-known ascetic Bishr al-Ḥāfi (d. 227/841f.). He once disarmed a brawny man who had seized a woman and was wielding a knife.²⁶² To all appearances, he did no more than brush shoulders with the man in passing, at which the would-be rapist collapsed. When asked what had come over him, the miscreant revealed that the passing stranger had told him that God was watching him, whereupon his legs gave way under him. He took ill and died soon after. A second anecdote tells how the Ṣūfī whose adage was quoted above responded to a request that he demonstrate his method.²⁶³ Sitting on a bench in the street, he waited till a mule went by carrying jars of wine. He then pointed at the load and said: 'That's it!' The mule tripped, and the jars broke. After this had happened three times, he said: 'That's how to right wrongs!' (*hākadhā yakūn al-inkār*).²⁶⁴ A third

²⁵⁸ See above, ch. 7, notes 120f. This is the only element in Ṣāliḥī's monumental account of the duty that is explicitly Ṣūfī. The idea is echoed by 'Alī al-Qārī (see above, ch. 12, note 85).

²⁵⁹ Ṣāliḥī, *Kanz*, 238.13: *inkār al-munkar bi'l-bāṭin min ḥayth al-ḥāl atamm min inkārībi bi'l-ẓāhir min ḥayth al-qāl*. This Ṣūfī is one Abū 'Abdallāh Muḥammad al-Qurashī, for whom see perhaps Sha'rānī (d. 973/1565), *al-Ṭabaqāt al-kubrā*, Cairo 1954, 1:159f. no. 281. Note also a Ṣūfī Koran exegesis to Q5:63 (Ṣāliḥī, *Kanz*, 237.2) which is taken from Qushayrī, *Laṭā'if*, 2:131.5.

²⁶⁰ For Matbūlī see Sakhāwī, *Daw'*, 1:85f.; Brockelmann, *Geschichte*, supplementary volumes, 2:151 no. 23.

²⁶¹ Quoted in Shabrakhītī, *Futūḥāt*, 481.8, through Sha'rānī. For a shorter version, see Sha'rānī (d. 973/1565), *Lawāqih*, Cairo 1961, 801.10 (I owe this reference to Mona Zaki); here Matbūlī mentions that such Ṣūfī action against wrongs is rare.

²⁶² *Iḥyā'*, 307.4 (cf. above, ch. 4, note 155). The story also appears in Ṣāliḥī, *Kanz*, 239.10, doubtless from Ghazzālī, among Ṣāliḥī's examples of righting wrongs by *ḥāl*.

²⁶³ See above, note 259.

²⁶⁴ Ṣāliḥī, *Kanz*, 238.14 (where a line has been lost through haplography, see Ṣumayda's edition, 233.1).

case shows how the spiritual power of a saint may reinforce a rebuke administered in the normal way. Bunān al-Ḥammāl (d. 316/928), an Iraqi who settled in Egypt and was an outstanding ascetic, is described by some of his biographers as commanding right.²⁶⁵ This reflects a story in which he commanded right to Ibn Ṭulūn (ruled Egypt 254–70/868–84),²⁶⁶ or gave offence to his son Khumārawayh (r. 270–82/884–96),²⁶⁷ as a result of which he was thrown to a wild beast. He emerged from this experience, as Amedroz put it, ‘with Daniel’s impunity’;²⁶⁸ his only concern, he explains, had been over the ritual purity of the animal’s saliva when it licked him. There is nothing distinctively Ṣūfī about Bunān’s commanding right; but his relations with the wild beast reflect a spiritual power which mere scholars do not possess.

We also find among Ṣūfis attitudes that are to some degree antithetical to forbidding wrong. Thus Sahl al-Tustarī lists a set of conditions under which one should shrink from forbidding wrong (*fa-ıyyākum wa’l-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*): when the ruler oppresses his subjects, when the judges take bribes, when the scholars consort with the ruler and so forth.²⁶⁹ Though presented as a future contingency, these conditions are such familiar symptoms of moral decay that the passage can easily be read as discouraging the forbidding of wrong in the present. But there is nothing specifically Ṣūfī about this way of thinking,²⁷⁰ and the same is true of a saying of Sahl according to which it is not for ordinary people to command rulers or scholars.²⁷¹ Another example of such cold water is provided by some rather obscure passages in the letters of the Andalusian Ṣūfī Ibn al-‘Arif (d. 536/1141).²⁷² The tendency of these passages is unmistak-

²⁶⁵ Sulamī, *Ṭabaqāt al-Ṣūfiyya*, 291.5; Abū Nu‘aym, *Ḥilya*, 10:324.10; Anṣārī, *Ṭabaqāt*, 397.1. I am indebted to Gerhard Böwering for references to key sources for Bunān.

²⁶⁶ Abū Nu‘aym, *Ḥilya*, 10:324.11, 324.15; Khaṭīb, *Ta’rikh Baghdād*, 7:101.19; Qushayrī (d. 465/1072), *Risāla*, Cairo 1966, 138.10 = R. Gramlich, *Das Sendschreiben al-Quṣayrīs über das Sufitum*, Wiesbaden 1989, 83f. no. 45, with further references; Anṣārī, *Ṭabaqāt*, 397.5 (where the animal is explicitly identified as a lion); Ibn al-Jawzī, *Muntaẓam*, ed. Hyderabad, 6:217.7; Ibn al-Jawzī, *Ṣifa*, 2:449.6; Dhahabī, *Siyar*, 14:489.8; Dhahabī, *Ta’rikh al-Islām*, years 301–20, 509.15. In these versions, we are not told what right Bunān commanded, and indeed Qushayrī does not even mention the cause of his being thrown to the beast.

²⁶⁷ Dhahabī, *Siyar*, 14:489.2; Dhahabī, *Ta’rikh al-Islām*, years 301–20, 509.8. In this version, which Dhahabī cites from Sulamī, Bunān makes Khumārawayh’s Christian vizier dismount and tells him to behave as his religious status requires.

²⁶⁸ Amedroz, ‘Hisba jurisdiction’, 295, citing Dhahabī’s *Ta’rikh al-Islām* from manuscript.

²⁶⁹ Sahl al-Tustarī (d. 283/896), *al-Mu‘āraḍa wa’l-radd*, ed. M. K. Ja‘far, Cairo 1980, 110.3. For this work, see Böwering’s remarks in *EP*, art. ‘Sahl al-Tustarī’, 840b.

²⁷⁰ For other examples of it, see above, ch. 3, 40–2; ch. 4, 76f.; ch. 5, 106.

²⁷¹ Qurṭubī, *Jāmi‘*, 12:73.6 (to Q22:41); cf. above, ch. 2, notes 22f.

²⁷² Ibn al-‘Arif (d. 536/1141), *Miftāḥ al-sa‘āda*, ed. ‘I. ‘A. Dandash, Beirut 1993, 169.24, 174.6, 179.1 (these passages were drawn to my attention by Maribel Fierro). For this

ably to play down forbidding wrong. One who sees a public wrong (*mun-karan zāhiran bayyinan*) should concern himself with his own soul (*fā-‘alayhi bi-khāṣṣat nafsihi*); righting wrongs (*taghyīr al-munkar*) as an individual duty is incumbent only on rulers through the use of the police (*shuraṭ*) and the like,²⁷³ on scholars through counselling and explaining, and on friends through civility and counselling.²⁷⁴ Rebuking rulers is circumscribed with such conditions as privacy, civility and purity of intention.²⁷⁵ Only a ruler may use a whip or the like, and only a friend may administer a verbal admonition; not to divulge the offence of a Muslim is better than rebuking him in public, except in the case of rulers and scholars who have a duty to do so. Others, it seems, have no business aspiring to forbid wrong.²⁷⁶ Ibn al-‘Arīf in these views goes beyond standard doctrine in limiting the duty, and his overall mood is deflating. But again, there is little that is identifiably Ṣūfī, and nothing to suggest an intrinsic tension between Ṣūfism and forbidding wrong.

We would nevertheless expect such a tension to manifest itself towards the antinomian end of the Ṣūfī spectrum.²⁷⁷ From a mystical perspective, forbidding wrong should appear as a matter of externals, a desiccated pietism which is irrelevant to the inner values of Ṣūfism;²⁷⁸ and for a thorough-going antinomian, there is in any case no wrong to forbid. Yet in the material I have come upon, the existence of this tension is evident mainly from its denial. The famous mystic Muḥyī ‘l-Dīn ibn al-‘Arabī (d. 638/1240) took the view that those who ‘call to good’ in Q3:104 must be upright gnostics (*‘arīfūn ulū ‘stiqāma*), like the ‘elders of the way’ (*shuyūkh al-ṭarīqa*). They must be gnostics since those who do not know God cannot know the good; someone in this category (*ghayr al-muwahhīd*) may call people to obey something other than God. But even a gnostic (*muwahhīd*) who is not upright may command something he deems right which is in fact wrong, and the other way around. This is often

Ṣūfī, see *ET*², art. ‘Ibn al-‘Arīf’ (A. Faure); M. Fierro, ‘La religión’, in M. J. Viguera Molins (ed.), *El retroceso territorial de al-Andalus* (= *Historia de España Menéndez Pidal*, tomo VIII-II), Madrid 1997, 487–9. Fierro remarks aptly that his doctrine of *al-amr bi’l-ma‘rūf* is innocuous (*ibid.*, 497 n. 61).

²⁷³ I understand *ma‘nāhā* for *ma‘nāhu*.
²⁷⁴ Ibn al-‘Arīf, *Miftāḥ*, 169.24; similarly *ibid.*, 179.3. ²⁷⁵ *Ibid.*, 170.5.

²⁷⁶ *Ibid.*, 174.6.

²⁷⁷ Consider, for example, the milieu described in A. T. Karamustafa, *God’s unruly friends: dervish groups in the Islamic later middle period, 1200–1550*, Salt Lake City 1994, 17–23.

²⁷⁸ That forbidding wrong is a part of exoteric religion is perhaps suggested in a couple of references made to it by Jalāl al-Dīn Rūmī (d. 672/1273) in his *Mathnawī* (ed. and trans. R. A. Nicholson, London 1925–40, 5:299 = 6:284 (VI, 480), 5:390 = 6:373 (VI, 2,065)). However, there is no indication of esoteric hostility to forbidding wrong (*ibid.*, 5:392 = 6:374 (VI, 2,093)). The only other reference to the duty in the *Mathnawī* is uninteresting (*ibid.*, 5:222 = 6:209 (V, 3,497)).

the case with those who have attained a high mystical state and live in seclusion (*man balagha fī maqām al-jam‘ wa-ḥtajaba bi’l-ḥaqq ‘an al-khalq*).²⁷⁹ Ibn al-‘Arabī likewise held that when a saint (*walī*) becomes aware of an offence through spiritual channels (*kashf*), this does not void his obligation in law (*shar‘*) to forbid the offence. God, he declares, has imposed on us the duty of taking action against wrongs (*izālat al-munkar*), even if our spiritual perception tells us that the offence is predestined to happen (*muḥattam al-wuqū‘*); the light of *kashf* does not extinguish the light of *shar‘*.²⁸⁰ Similar thinking appears in a letter of Ibn ‘Abbād al-Rundī (d. 792/1390), likewise a Šūfī from Andalusia.²⁸¹ He is responding to people who have been troubled by a saying of a deceased Šūfī; he endorses the saying, but unfortunately does not quote it. He then goes on to explain that there is in fact no contradiction between, on the one hand, excusing people’s misdeeds by looking upon them with the eye of the mystic (*‘ayn al-tawḥīd*), and on the other, commanding right and forbidding wrong to them. He gives two reasons for this. The first is somewhat technical: forbidding wrong relates only to what may happen in the future, and not to the past. One who commands and forbids tells people to do this or not to do that; he does not ask them why they have already done something – except for the purpose of instruction, which looks to the future. By contrast, the eye of the mystic (*naẓar al-muwaḥḥid*) looks to what is already past.²⁸² The second reason is that the mystic is considering things from the viewpoint of esoteric truth (*ḥaqīqa*), whereas forbidding wrong is a matter of exoteric law (*sharī‘a*), and between the two there is no contradiction. Ibn ‘Abbād ends by expressing his surprise that his addressees should have failed to see something so obvious.²⁸³

A suggestion that forbidding wrong belongs to a relatively low level of Šūfī sainthood can perhaps be found in a passage quoted by ‘Abd al-Ḥaqq al-Bādisī, who completed a collection of biographies of saints of the Moroccan Rīf in 711/1311f.²⁸⁴ In his introduction, he quotes from one

²⁷⁹ Ibn al-‘Arabī, *Tafsīr*, 1:206.17, 207.6. The passage appears without attribution in Ismā‘īl Ḥaqqī’s commentary to the verse (*Rūḥ al-bayān*, 2:75.8).

²⁸⁰ Quoted in Shabrakhītī, *Futūḥāt*, 479.22. I do not know whether the passage is to be found in one of Ibn al-‘Arabī’s numerous extant works.

²⁸¹ See *ET*², art. ‘Ibn ‘Abbād’ (P. Nwyia).

²⁸² Ghazzālī likewise excludes the past from the domain of forbidding wrong, but has a different view of the future (see above, 435).

²⁸³ Ibn ‘Abbād al-Rundī (d. 792/1390), *al-Rasā’il al-kubrā*, Fez 1320, 150.1. I owe my knowledge of this passage to Maribel Fierro, who drew my attention to the brief summary in P. Nwyia, *Ibn ‘Abbād de Ronda*, Beirut 1961, 159.

²⁸⁴ ‘Abd al-Ḥaqq al-Bādisī (writing 711/1311f.), *al-Maḥṣad al-sharīf*, ed. S. A‘rāb, Rabat 1982. For the date of writing, see *ibid.*, 151.6.

of his biographees, ‘Alī ibn Muḥammad al-Marrākushī (*fl.* mid-seventh/thirteenth century), a typology of saints which moves in three stages from the most sociable to the least so.²⁸⁵ The first group comprises those who live in the world, making a living as other people do, but leading scrupulously virtuous and observant lives; one aspect of this is their cultivation of forbidding wrong.²⁸⁶ By contrast, there is no mention of it in the accounts of the other two types of saint.

Yet with the exception of ‘Abd al-Ghanī’s frontal attack on the puritans of his day,²⁸⁷ and some passing remarks of the emir ‘Abd al-Qādir al-Jazā’irī (d. 1300/1883),²⁸⁸ a full-blown Ṣūfī rejection of forbidding wrong is hardly to be found. The only parallel I can adduce to ‘Abd al-Ghanī’s polemic is a position mercilessly rebutted in a work on forbidding wrong by the Indian Ḥanafī ‘Iṣmat Allāh of Sahāranpūr (d. 1133/1720f.). Though he mostly follows Ghazzālī’s account, he does insert some discussions of topics not covered by Ghazzālī, and the most interesting of these is a refutation of the views of certain heretics (*malāḥida*).²⁸⁹

These heretics take as their doctrine the principle of leaving people in peace (*tark ta‘arruḍ al-khalq wa-īdhā’ihim*) and having pacific relations with everyone (*ṣulḥ al-kull*). Worse yet, they claim this to be the doctrine of the Ṣūfis, and hold to the literal meaning of a saying widely current among the common people (*‘awāmm*): ‘Do not bother [anyone], and do whatever you wish; for in our law there is no sin other than this.’²⁹⁰ They ingratiate themselves with every errant sect of infidels – Jews, Brahmins, Zindīqs and others – and hate the Muḥammadan community.²⁹¹ This is as much as he tells us about the heretics and their views. They were clearly Muslims, in their own view if not in that of our author: they claim that their

²⁸⁵ For this typology, see García-Arenal, ‘Práctica’, 158, and A. Sebti, ‘Hagiographie du voyage au Maroc médiéval’, *Al-Qanṭara*, 13 (1992), 174f. (both ascribing the typology to Bādīsī himself). For ‘Alī ibn Muḥammad al-Marrākushī, who settled in Bādīs in the 640s/1240s, see Bādīsī, *Maṣṣad*, 72–5, 146.16. ²⁸⁶ *Ibid.*, 21.1.

²⁸⁷ See above, ch. 12, 327f.

²⁸⁸ ‘Abd al-Qādir al-Jazā’irī (d. 1300/1883), *Mawāḥiḍ*, Damascus 1966–7, 294.10 (I owe this reference to Itzchak Weismann). Jazā’irī argues that the mystic is not covered by the tripartite division of labour, and is thus not obligated by the duty. Cf. also a remark by ‘Alī al-Qārī noted above, ch. 12, note 84.

²⁸⁹ This is the fifth chapter of the work (‘Iṣmat Allāh, *Raḡīb*, ff. 17a.7–19a.17; cf. above, ch. 12, notes 116, 122).

²⁹⁰ *Ibid.*, f. 17a.7. The saying is given in Persian (*mabāsh dar pay-i āzār-u har chih khwāhī kun; kih dar shar‘at-i mā ghayr az īn gunāhī nist*), and is repeated *ibid.*, f. 17b.24, with a suggestion as to how to explain it away; its source is a poem of Ḥāfiẓ-i Shīrāzī (d. 791/1389) (*Dīwān*, ed. B. Khurramshāhī, Tehran 1373 sh., 76.6). Compare this hemistich in the verses later quoted from Jāmī (d. 898/1492): *kas mayāzār wa har chih khwāhī kun* (‘Iṣmat Allāh, *Raḡīb*, f. 18b.23; Jāmī, *Mathnawī-i haft awrang*, ed. M. Gīlānī, Tehran 1337 sh., 102.8). Jāmī attacks this view as that of the old antinomians (*mubāḥiyān-i kuhun*). ²⁹¹ ‘Iṣmat Allāh, *Raḡīb*, f. 19a.5.

doctrine is Šūfī, and are refuted by appeals to Muslim authority. They were presumably a feature of the Indian environment: the principle of having pacific relations with everyone (*ṣulḥ-i kull*) was one well known in Moghul India, where it justified friendly interaction with the followers of native Indian religions.²⁹²

‘Iṣmat Allāh begins his refutation by impaling the heretics on the horns of a dilemma. Either they accept what the authoritative texts (*nuṣūṣ*) say about forbidding wrong, or they do not. If they do not accept them, they have abandoned Islam, and there is no possibility of dialogue with them (*lā khiṭāb ma‘ahum*); if they do accept them, their doctrine collapses.²⁹³ Were leaving people alone pleasing to God, He would not have sent the prophets, nor established their laws (*sharā’i*), nor called to Islam, nor voided other religions, but would rather have left people to their own devices, untroubled by divine visitations; nor would He have imposed on them the duty of holy war, which involves suffering and death for both Muslims and infidels.²⁹⁴ He further emphasises that Šūfīs – pantheists included – have made it abundantly clear that they neither practise nor preach an indiscriminate toleration.²⁹⁵ What is more, distinguished Šūfīs have written on forbidding wrong.²⁹⁶ Even apart from all this, the fact that the prophets were sent to command right and forbid wrong is enough to establish that it is both good and obligatory.²⁹⁷ In short, if leaving people alone were praiseworthy, then forbidding wrong would not be a religious duty.²⁹⁸

It is hard to tell from this polemic whether the heretics had mounted an explicit attack on the doctrine of forbidding wrong. But even if they had not, the encounter throws into striking relief the less eirenical aspects of the Muslim duty. What it does not do is to help us to identify any overall view of forbidding wrong that we could describe as characteristically Šūfī.

²⁹² See, for example, A. Ahmad, *Studies in Islamic culture in the Indian environment*, Oxford 1964, 126. I have not been able to find a systematic discussion of the idea.

²⁹³ ‘Iṣmat Allāh, *Raḡīb*, f. 17a.10. ²⁹⁴ *Ibid.*, f. 17a.17.

²⁹⁵ *Ibid.*, f. 18a.7, 18a.22. However, he quotes no direct and explicit Šūfī statements endorsing forbidding wrong.

²⁹⁶ *Ibid.*, f. 18a.24. He adduces the chapter on forbidding wrong in the *Ghunya* of ‘Abd al-Qādir al-Jīlī (d. 561/1166) (see above, ch. 6, note 115), the treatment of the subject in the *Iḥyā’* of Ghazzālī, and the chapter in the *Dhakhīrat al-mulūk* of Hamadānī (see above, note 166). ²⁹⁷ ‘Iṣmat Allāh, *Raḡīb*, f. 19a.3. ²⁹⁸ *Ibid.*, f. 19a.7.

CHAPTER 17

CLASSICAL ISLAM IN RETROSPECT

1. INTRODUCTION

Of the preceding sixteen chapters, some were devoted to particular bodies of religious literature dating from the early centuries of Islam: the Koran and Koranic exegesis, tradition and biographical literature. Other chapters – the majority – dealt successively with the literature of each of the surviving sects and schools: the Ḥanbalites at different times and places; the Mu'tazilites and their Shī'ite heirs; the Ḥanafīs, Shāfi'ites, Mālikīs and Ibāḍīs; and finally, Ghazzālī (d. 505/1111) and the Ṣūfīs. In the course of this extended survey, many themes have recurred again and again, so that the reader by now has a sense of the standard elements of the theory and practice of forbidding wrong. However, the extent of the survey, and the vast amount of detail it contains, mean that the reader may at times have been unable to see the wood for the trees. Hence one of the purposes of the present chapter is to pull together and amplify some of the themes that have been scattered here and there in the preceding chapters. In doing this I shall not attempt to produce a unified version of the scholastic doctrines of forbidding wrong that have been examined above. Instead, I shall pick out a number of themes which seem to me to be of particular historical significance. I shall also be making a preliminary effort to step back from the whole phenomenon of forbidding wrong in classical Islam, and to see it in some kind of perspective. By classical Islam I mean here Islam as it was in the period between the formation of the religion as we know it and the onset of drastic change in reaction to the impact of the West.

The phenomenon of forbidding wrong belongs in the first instance to the public space of Muslim society. We can think of this space as hemmed in by fortified enclosures on two sides. On one side lie the massive ramparts of the state, the citadels and palaces of rulers. On the other side lie the myriad diminutive forts that constitute the private domains of individual Muslims,

each in his castle. Neither rulers nor ordinary Muslims are immune to the human proclivity for wrongdoing. But there the symmetry ends. In looking towards the ramparts of the state, the prospective forbidders of wrong is obliged to contemplate the vast and intimidating concentration of power located behind them. When he faces towards the castles of individual Muslims, by contrast, the balance of power is more equal. By and large, then, intrusion is likely to be a stronger temptation than subversion. But even sinners have their rights of privacy, and these rights are considerable.

The next two sections of this chapter will accordingly be devoted to politics and privacy respectively. In the final two sections I shall return to the public space between the two sets of fortifications, and consider what might be called the social locus of forbidding wrong.

2. THE POLITICS OF FORBIDDING WRONG

The state looms large in our picture in more than one way. In the first place, it makes its own claims to forbid wrong. In sects to which doctrines of the imamate are of central importance, there is likely to be emphasis on forbidding wrong as a role of the imam. As we have seen, this is particularly salient in Zaydism, and a noteworthy feature of Imāmism, Ismāʿīlism and Ibāḍism.¹ We likewise find Sunnī caliphs forbidding wrong. Thus we are told that this activity was part of the daily routine of the caliph al-Manṣūr (r. 136–58/754–75).² The caliph al-Muṭadī (r. 255–6/869–70) built a dome under which he would sit rendering justice to all; he commanded right and forbade wrong, forbidding liquor and singing-girls.³ The Almohad caliph ʿAbd al-Muʾmin (r. 524–58/1130–63) was constantly engaged in forbidding wrong.⁴ The activity extended to other Sunnī rulers who took themselves seriously in Islamic terms. An obvious example would be the rulers of the second Saʿūdī state.⁵ A rather trite mirror for princes of the mid-sixth/twelfth century emphasises the duty incumbent on the ruler (*sulṭān*) to forbid wrong owing to his position of supremacy; in the

¹ See above, ch. 10, section 3; ch. 11, 260–2, 302; ch. 15, 397f., 405–7, and cf. 404f.

² Ibn Kathīr, *Bidāya*, 10:125.17 (I owe this reference to Nurit Tsafir).

³ Masʿūdī, *Murūj*, 5:92 no. 3,111, whence Zaman, *Religion and politics*, 114. In 321/933 the caliph al-Qāhir (r. 320–2/932–4) forbade liquor and singing, ordering that singing-girls be sold at prices that took no account of their musical talents; he then had them bought up for his own use at firesale prices (Ibn al-Athīr, *Kāmil*, 8:204.6). In this case the source does not, however, speak of ‘forbidding wrong’, and the same is true of a good many other references to such activity on the part of rulers.

⁴ Ibn al-Qaṭṭān (*fl.* mid-seventh/thirteenth century), *Naẓm al-jumān*, ed. M. ʿA. Makkī, Tetouan n.d., 149.6, 149.11 (I owe this reference to Maribel Fierro).

⁵ See above, ch. 8, notes 60, 77.

case of a ruler (*pādīshāh*), the author avers, forbidding wrong is more important than praying by night or fasting by day.⁶ It is accordingly the business of any legitimate ruler to forbid wrong; that, as the Shāfi'ite Ḥalīmī (d. 403/1012) put it, is what rulership is⁷ – or at least, what it should be.

The forbidding of wrong by the state is not confined to the ruler. The official we hear most of in this connection is, of course, the officially appointed censor (*muḥtasib*),⁸ whose role is readily presented in the sources in terms of forbidding wrong.⁹ But he is far from alone. Among the Ismā'īlīs, we have seen that forbidding wrong is one of the functions of the missionaries (*dā'īs*), key figures in the organisation of the movement.¹⁰ Among the western Ibādīs, a third/ninth-century imam appointed a group to forbid wrong in the markets,¹¹ while among their eastern brethren the 'sellers' (*shurāt*) may have played a similar role.¹² Among the Sunnīs, the governor of Egypt in 169–71/786–7, 'Alī ibn Sulaymān al-'Abbāsī, made forbidding

⁶ Anon., *Baḥr al-fawā'id*, 312.11 = trans. Meisami, 217. ⁷ See above, ch. 13, note 24.

⁸ See the broad survey in *EI*², art. 'Ḥisba' (C. Cahen *et al.*). Whatever the history of the institution, the term seems to have been well established by the early 'Abbāsīd period (see A. H. Morton, 'Ḥisba and glass stamps in eighth- and early ninth-century Egypt', in Y. Rāḡib (ed.), *Documents de l'Islam médiéval*, Cairo 1991, 24–7; Morton gives a survey of hitherto known material on the earliest attested *muḥtasibs*, and adds significant new evidence). It may be noted that the Baṣran Iyās ibn Mu'āwiya (d. 122/739f.) is said in one source to have been in charge of the *ḥisba* in Wāsiṭ (Balādhurī (d. 279/892f.), *Ansāb al-asbrāf*, vol. 6, part 2, ed. K. Athamina, Jerusalem 1993, 197 no. 341; I owe this reference to Michael Lecker). According to a further passage of Balādhurī, this appointment took place in the reign of Yazīd ibn 'Abd al-Malik (r. 101–5/720–4) (cited from manuscript in I. Š. al-'Amad, 'Nuṣūṣ turāthiyya ḥawla wujūd muḥtasib fi l-mujtama' al-Qurashī qabla l-Islām', *Majallat Majma' al-Lughā al-'Arabiyya al-Urdunni*, 41 (1991), 67 n. 46; see also Chalmers, *El 'señor del zoco*, 344, and van Ess, *Theologie*, 2:128). Another figure worth considering is the Baṣran 'Awwām ibn Ḥawshab (d. 148/765f.), though he is not referred to in the sources as a *muḥtasib*. He belonged to a successful Arab family in Baṣra; both his father and brother held the office of chief of police (*shurṭa*) (Ibn Ḥazm, *Jamhara*, 325.2; Mizzi, *Tahdhīb*, 22:429.7). In a distinctive phrase repeated in several of the sources, he is said to have had the role of forbidding wrong (*kāna ṣāhib amr bi'l-ma'rūf wa-nahy 'an al-munkar*) (Ibn Sa'd, *Ṭabaqāt*, 7:2:60.14; Fasawī, *Ma'rifa*, 2:254.1; Baḥshal, *Ta'rikh Wāsiṭ*, 114.17, 115.2 (I owe these references to Nurit Tsafir); Mizzi, *Tahdhīb*, 22:429.11; Dhahabī, *Siyar*, 6:355.1; Dhahabī, *Ta'rikh al-Islām*, years 141–60, 246.9; Ibn Ḥajar, *Tahdhīb*, 8:164.7). In all but one instance, the statement goes back to Yazīd ibn Hārūn (d. 206/821). The wording is unusual, and the suggestion of the editor of Baḥshal (*Ta'rikh Wāsiṭ*, 114 n. 65) that 'Awwām was a *muḥtasib* may be in place. It goes well with this that the only example of his forbidding wrong that I have seen in the sources is his visits to the money-changers (*ṣayārifa*), whom he used to admonish (*ibid.*, 114.18).

⁹ Māwardī, *Aḥkām*, 315.3, whence Abū Ya'lā, *Aḥkām*, 284.8; Shayzarī, *Nihāyat al-rutba*, 6.3, whence Ibn Bassām, *Nihāyat al-rutba*, 10.4; Sunāmī, *Niṣāb*, 13.1 (quoting Māwardī); Osman Nuri, *Mejelle-i umūr-i belediye*, 1:314.12. Compare also Sam'ānī, *Ansāb*, 12:113.4, defining 'amal al-iḥtisāb as commanding right and forbidding wrong. However, by no means all writers on *ḥisba* make such statements (cf. above, ch. 14, note 78).

¹⁰ See above, ch. 11, 302f. ¹¹ See above, ch. 15, note 28.

¹² See above, ch. 15, notes 144–6.

wrong a theme of his governorship, cracking down on music, liquor and newly built churches.¹³ Clear-cut instances of the institutionalisation of forbidding wrong below the level of the ruler come from the second, and still more the third, Sa'ūdī states.¹⁴ There are also historical examples of a phenomenon we have encountered in the scholastic literature: the private citizen who forbids wrong with the permission of the ruler. Thus in Damascus in 758/1357, a pietist (*ba'd al-fuqarā'*) complained to the viceroy about the evils rampant in the city, and received his permission to take action against them; he then gathered a group (*jamā'a*) which shared his views, attracted a large popular following, and created such a threat to public order that the authorities stepped in to suppress the movement.¹⁵

If the state made it its business to forbid wrong in this fashion, there was also a danger that it might seek to transform this business into a monopoly.¹⁶ This is not, of course, what a virtuous Islamic ruler would do. The caliph 'Uthmān (r. 23–35/644–56) is said to have announced at the beginning of his reign: 'Whoever of you sees a wrong, let him put it right (*fal-yughayyirhu*); if he lacks the strength to do so, let him refer it to me (*fal-yarfa'hu ilayya*).'¹⁷ There are nevertheless accounts that portray the caliphs 'Abd al-Malik (r. 65–86/685–705) and al-Ma'mūn (r. 198–218/813–33) as banning the forbidding of wrong. How seriously, or how literally, should we take them?

According to Abū Hilāl al-'Askarī (writing in 395/1005), 'Abd al-Malik was 'the first to forbid commanding right'.¹⁸ What he proceeds to quote is an account of a chastening sermon addressed by 'Abd al-Malik to the Medinese in the year 75/695; according to one version, he promised in the course of it to strike off the head of anyone who commanded him to fear God.¹⁹ In a similar vein, Jāhīz (d. 255/868f.) says that until the time

¹³ Kindī, *Wulāt*, 131.8, cited in Morton, 'Hisba and glass stamps', 24. Likewise Shams al-Dīn Lu'lu', a major figure in Ayyūbid affairs till he was killed in a civil war in 648/1251, is described as a pious man who forbade wrong (Ibn Kathīr, *Bidāya*, 13:180.15; for his death, see Humphreys, *From Saladin to the Mongols*, 318f.) – though he might have done so in a private capacity. ¹⁴ See above, ch. 8, 177f., 182–91.

¹⁵ Ibn Qāḍī Shuhba (d. 851/1448), *Ta'rīkh*, ed. 'A. Darwīsh, Damascus 1977–97, 3:115.8 (this passage and its interest were drawn to my attention by Tamer El-Leithy). For the scholastic discussion of permission, see, for example, above, ch. 11, 266–70, 285–7; ch. 14, 361; ch. 16, 430f.; and cf. ch. 13, note 140.

¹⁶ 'Eine starke Obrigkeit drängte natürlich darauf, dass nur ihr dieses Recht zustehe' (Van Ess, *Theologie*, 2:387f.).

¹⁷ Balādhurī (d. 279/892f.), *Ansāb al-asbrāf*; vol. 5, ed. S. D. F. Goitein, Jerusalem 1936, 25.1, cited in A. Noth and L. I. Conrad, *The early Arabic historical tradition*, Princeton 1994, 92. Note the similarity of the initial wording to the 'three modes' tradition (see above, ch. 3, section 1).

¹⁸ Abū Hilāl al-'Askarī (writing 395/1005), *Awā'il*, ed. W. Qaṣṣāb and M. al-Miṣrī, Riyāḍ 1981, 1:347.3. An earlier parallel makes 'Abd al-Malik the first to cut out people's tongues for forbidding wrong (Jaṣṣās, *Aḥkām*, 1:71.14).

¹⁹ Abū Hilāl, *Awā'il*, 1:348.2 (cited in van Ess, *Theologie*, 2:388 n. 14); Jaṣṣās, *Aḥkām*, 1:71.16.

of ‘Abd al-Malik and Ḥajjāj (d. 95/714), there was still ‘a remainder forbidding corruption in the earth’ (Q11:116); these two put a stop to this activity, punishing and killing those who engaged in it, with the result that people ‘forbade not one another any wrong that they committed’ (Q5:79).²⁰ If we take these accounts to be reliable, they depict ‘Abd al-Malik as an authoritarian with no tolerance for criticism; but they do not suggest a prohibition of forbidding wrong as such. With regard to al-Ma’mūn, there are indeed, as we have seen, anecdotes which state unambiguously that he prohibited the forbidding of wrong.²¹ In two of these accounts, however, he makes a crucial distinction: he only prohibits the forbidding of wrong by people who do not know what they are doing. These reports are doubtless to be read against the background of the popular movements that forbade wrong in the streets of Baghdad in 201/817.²²

A much more serious feature of the state than any tendency to claim a monopoly of forbidding wrong was the scale of its activity in committing it. The power of the state equipped it with the capacity to be the biggest wrongdoer of all, and this capacity was amply exploited by the unjust rulers whose misdeeds constituted the fabric of Islamic political history. How, then, were the scholars to respond to the painfully ambivalent presence of the state? Here was an institution that on the one hand engaged in forbidding wrong in what were often manifestly desirable, indeed necessary, ways, and yet on the other hand was accumulating an appalling record of wrongs which themselves stood in need of being forbidden. Were the scholars then to accommodate the state or confront it?

We have encountered many examples of a tendency on the part of the scholars to accommodate the ruler and his functionaries. There are occasional statements which, if taken seriously, would suggest that forbidding wrong should be left to the ruler altogether.²³ More commonly it is indicated in one way or another that the state should play the main role.²⁴

²⁰ Jāhiz (d. 255/868f.), *Banū Umayya* (= *Nābita*), in his *Rasā’il*, ed. Ḥ. al-Sandūbī, Cairo 1933, 296.21 (I owe this reference to Ilai Alon).

²¹ See above, ch. 1, note 34; ch. 4, 70f. In another such anecdote, al-Ma’mūn is in dispute with a man who presumes to forbid wrong without having any official standing to do so; al-Ma’mūn tries to claim the privilege of forbidding wrong for the family of the Prophet on the basis of Q22:41, and is politely rebuffed (Ghazzālī, *Iḥyā’*, 2:290.29).

²² See above, ch. 5, 107.

²³ See above, ch. 3, note 56; ch. 13, note 20; ch. 14, note 70. There is also a rather laconic passage in which Jāhiz says that commanding right and forbidding wrong can be done only with the sword and whip (*Kitmān al-sirr*, 163.10). The point of the observation in context is that verbal performance is a waste of time; he is perhaps implying that the duty should be left to the state. This passage, which was first drawn to my attention by Larry Conrad, has since been cited by Athamina as representing a prevalent opinion arising from early confrontations with the Khārijites (‘The early Murji’a’, 124 n. 76); but to my knowledge, the view is isolated.

²⁴ See above, ch. 7, 155; ch. 8, note 46; ch. 9, note 99; ch. 14, note 103; ch. 15, notes 141–3, 162.

Frequently some level of violence, especially armed violence, is made over to the authorities,²⁵ or it is said that it can only be engaged in with the ruler's permission.²⁶ This latter idea is not restricted to narrowly scholastic contexts. The fourth/tenth-century Imāmī secretary Ishāq ibn Wahb, in a passage on situations in which the common people may need to be reined in by the state, mentions a scenario in which they set about forbidding wrong without having received the permission of their ruler, neglecting their economic activities in the process.²⁷ Qazwīnī (d. 682/1283f.) in his account of Gīlān gives a remarkable account of an annual scholars' carnival. He says that it is a local custom that every year the scholars (*fuqahā'*) seek permission from the ruler (*amīr*) to command right. Once they have his permission, they round up everyone and flog them. If a man swears that he has neither drunk nor fornicated, the scholar will ask him his trade; if he says he is a grocer, the scholar infers that he cheats his customers, and flogs him anyway.²⁸ The view that violence is reserved for the authorities is also implied in the saying setting out the tripartite division of labour, according to which performance of the duty 'with the hand' is for the agents of the state (*umarā'*); this saying is particularly common (and first attested) among the Ḥanafīs,²⁹ but it can be found elsewhere.³⁰ We also encounter a willingness to refer cases of wrongdoing to the state,³¹ and to cooperate with the state in dealing

²⁵ See above, ch. 9, notes 23, 148; ch. 10, notes 116, 135, 146, and cf. note 115; ch. 12, 326f.; ch. 13, notes 54, 59; ch. 14, notes 63, 107, 159; ch. 15, notes 163, 164, 220; ch. 16, note 276. Cf. also above, ch. 5, note 109; ch. 6, notes 106, 165; ch. 12, note 112; ch. 13, 342, 343; ch. 14, notes 66, 271; ch. 15, note 159; ch. 16, notes 273f.

²⁶ See above, ch. 6, notes 180, 182; ch. 11, 266–70, 282, 285–7, 299, ch. 12, notes 110, 114, 181; ch. 14, note 105; ch. 16, 457f. The idea is most at home among the Imāmīs, where despite some opposition it is school doctrine. Elsewhere it has a curious origin. Ghazzālī mocks the Imāmī doctrine and rejects it, even for armed conflict (see above, ch. 16, 430); he sticks to this position even in the context of armed helpers (see above, ch. 16, 441). Non-Imāmīs who cannot stomach the radicalism of these views then react to them by declaring the ruler's permission to be required in such cases, and are thus in the position of inadvertently importing an Imāmī doctrine.

²⁷ See above, ch. 11, note 115.

²⁸ Qazwīnī (d. 682/1283f.), *Āthār al-bilād*, ed. F. Wüstenfeld, Göttingen 1848, 237.9, cited in Goldziher, *Livre*, 91f.

²⁹ For Ḥanafī attestations, see above, ch. 12, notes 12, 37 (the earliest attestation of the saying), 49, 86, 126, 132, 139, 141–3, 183, 188, and cf. note 96.

³⁰ See above, ch. 6, note 166 (where the attestation in the *Ghunya* derives from a Ḥanafī source); ch. 7, note 123; ch. 13, note 141; ch. 14, notes 69, 162; ch. 15, note 36. See also 'Abd al-Qādir al-Jazā'irī, *Mawāqif*, 294.6, 1284.26 (I owe these references to Itzhak Weismann).

³¹ See above, ch. 5, notes 162f.; ch. 6, notes 153f.; ch. 14, notes 18, 66, 177; and cf. ch. 6, note 19, and ch. 8, 171. Incidentally, informing the authorities of the unlawful activities of one's neighbours seems to have been quite common in twelfth/eighteenth-century Aleppo (A. Marcus, 'Privacy in eighteenth-century Aleppo: the limits of cultural ideals', *International Journal of Middle East Studies*, 18 (1986), 177; A. Marcus, *The Middle East*

with them.³² At the same time the scholars endorse the idea that the ruler should appoint someone to see to the duty; such functionaries may be identified as censors (*muḥtasibs*),³³ though this is not always the case.³⁴ One should even be prepared to accept such appointment oneself.³⁵ Ideas of this kind are sufficiently widespread that they cannot be dismissed as marginal.

Yet such accommodationist views may also be called in question. The claims of rulers to forbid wrong may be scorned. Thus a pupil of a Raqqa scholar who died in 161/777f. reports his teacher's unfavourable reaction to the public reading of a letter from some caliph; the content of the letter is described as commanding right and forbidding wrong.³⁶ The caliph 'Abd al-Malik on one occasion forbade wrong from the pulpit; a member of the congregation called out to him that he and his likes did not practise what he preached.³⁷ One account even describes 'Abd al-Malik as the first caliph to command wrong and forbid right.³⁸ At the same time we regularly encounter the view that individual subjects may resort to violence, including armed violence; it may even be held permissible for them to form armed bands.³⁹ The need for the ruler's permission for armed violence may

on the eve of modernity: Aleppo in the eighteenth century, New York 1989, 117; Marcus lists some forty references to court records from the years 1159–84/1746–70).

³² See above, ch. 6, notes 153f., 165, 172; and cf. above, ch. 10, notes 85 (a balanced Zaydī view of the question of cooperation with an unjust ruler in forbidding wrong), 127; also above, ch. 6, note 47.

³³ Here matters can, of course, be confused by Ghazzālī's influential terminology, in which the term *muḥtasib* refers to the ordinary believer who forbids wrong (see above, ch. 16, 429; for an example, see above, ch. 14, note 79). But the distinction was always clear enough in principle. Thus Khunjī (d. 927/1521), after setting out what he calls the legal sense of the term, has no problem stating the difference: 'One must know that in this sense one can call anyone who commands right and forbids wrong a *muḥtasib*, but in common usage ('*urf-i 'āmm*) this term *muḥtasib* has come to be used for someone appointed by the ruler (*manṣūb az qibal-i sulṭān*) to command right and forbid wrong' (*Sulūk al-mulūk*, 176.8). Cf. also the lists of the differences between the two drawn up by Māwardī (d. 450/1058) (see above, ch. 13, 344f., and ch. 16, note 134) and Sunāmī (see above, ch. 12, note 50). Rare examples of scholarly writers who have something to say about the official *muḥtasib* in discussing forbidding wrong are the exegete Niẓām al-Dīn al-Naysābūrī (fl. early eighth/fourteenth century) (see above, ch. 2, note 36) and Taftazānī (d. 793/1390) (see above, ch. 13, note 91).

³⁴ See above, ch. 13, notes 22, 89; ch. 14, notes 41, 70f.

³⁵ See above, ch. 14, notes 19, 41.

³⁶ Qushayrī (d. 334/945f.), *Ta'rikh al-Raqqa*, ed. T. al-Na'sānī, Ḥamāh 1959, 76.8 (I owe this reference to Nurit Tsafir). For the death date of Abū 'l-Muhājir al-Kilābī, see Mizzī, *Tahdhīb*, 10:159.8.

³⁷ Sibṭ ibn al-Jawzī (d. 654/1257), *Mir'āt al-zamān*, ms. London, British Library, Add. 23,277, f. 58a.22 (I owe this and the following reference to Amikam Elad).

³⁸ *Ibid.*, f. 58a.11. The inversion is Koranic: in Q9:67, it is the hypocrites who command wrong and forbid right.

³⁹ For violence in general, see below, note 188; for armed bands, see above, ch. 16, 441 and notes 221f.

likewise be denied.⁴⁰ The saying about the tripartite division of labour, often rather mindlessly repeated, is sometimes scrutinised and found wanting.⁴¹ The idea of reporting the wrongdoing of one's fellows to the state may be rejected,⁴² and cooperation with the state may be regarded as out of the question.⁴³

At the other end of the spectrum from the tendency to accommodate the state is the urge to confront it. This takes two characteristic forms which have significantly different constituencies: rebuke and rebellion.

As we have seen, the biographical and anecdotal record is full of sympathetically presented examples of pious Muslims harshly rebuking rulers, governors and their henchmen, often at great risk to themselves;⁴⁴ sometimes they are able to get away with it,⁴⁵ sometimes they are martyred for their pains.⁴⁶ This activity has the sanction of the Prophetic tradition according to which it is the highest form of holy war to speak out in the presence of an unjust ruler and – in some versions – be killed for it.⁴⁷ It is occasionally suggested that it is a duty to forbid wrong in this fashion,⁴⁸ and in any case the activity is widely regarded with favour.⁴⁹ This attitude gains support from the more general view that to forbid wrong in the face of danger, though not a duty, is commendable,⁵⁰ and that someone who loses his life in the process is accordingly a martyr.⁵¹

Yet these views, though widespread, are again not universal. There are those who take a more or less negative view of going up against rulers,⁵² and more generally of courting danger.⁵³ A painless resolution is to render

⁴⁰ See above, ch. 11, 268; ch. 16, 441, and cf. note 221.

⁴¹ See above, ch. 7, note 123; ch. 12, notes 132f., 143, and cf. note 139; ch. 14, note 163.

⁴² See above, ch. 4, note 268; ch. 5, notes 160f.; ch. 10, note 84; ch. 14, note 226.

⁴³ Cf. above, ch. 5, 102f.

⁴⁴ See above, ch. 1, 3; ch. 3, 33; ch. 4, 56–67, note 60, and cf. note 163; ch. 6, note 102; ch. 7, 148f., and note 33; ch. 12, note 64; ch. 13, notes 133, 140; ch. 14, 381f. (but cf. 382), 384f., and notes 241, 243; ch. 16, note 123.

⁴⁵ As above, ch. 4, 59. ⁴⁶ As above, ch. 1, 3.

⁴⁷ For this tradition see above, ch. 1, 6f.

⁴⁸ See above, ch. 4, 59; ch. 6, note 148; ch. 14, note 14.

⁴⁹ See, in addition to the references in the previous note, above, ch. 6, notes 145, 149 (but cf. note 150), 170; ch. 11, note 49; ch. 12, notes 10, 46, 211, and cf. note 186; ch. 15, notes 67–9; ch. 16, notes 29, 42, 121–3, 204.

⁵⁰ See above, ch. 6, 134–6 no. (5), and notes 110, 171; ch. 9, 202, and notes 36, 74, 171; ch. 10, note 112; ch. 12, notes 46, 82, 135f.; ch. 13, note 104; ch. 14, 366f., and notes 158, 270; ch. 15, notes 67–70, 227; ch. 16, 433 no. (4); and cf. ch. 5, note 156.

⁵¹ See above, ch. 1, note 20; ch. 6, notes 108, 164; ch. 10, notes 6, 168; ch. 12, notes 99, 135; ch. 16, notes 91, 122.

⁵² See above, ch. 1, 10f. (a ruler's perspective); ch. 4, 53–6, 61, and cf. 63–5, and note 146; ch. 5, 101f.; ch. 6, 140f. no. (3), and notes 146, 190f.; ch. 8, note 30; ch. 11, notes 16, 36, 285f.; ch. 12, note 98, and cf. note 126; ch. 14, note 219, and cf. note 15; and cf. ch. 15, note 175; ch. 16, note 255.

⁵³ See above, ch. 3, notes 53f.; ch. 11, 280f., 282, and notes 17, 279f., 283f.; ch. 14, notes 84, 156, 270; and cf. ch. 12, note 157.

tribute to heroism, but to relegate it to the heroic age of the past. Thus Khattābī (d. 388/998), in a chapter on the depravity of rulers (*fasād al-a'imma*) and the need to have as little to do with them as possible (*al-iqlāl min ṣulḥat al-salāṭīn*), quotes the Prophetic tradition on speaking out in the presence of an unjust ruler.⁵⁴ He then laments the corruption of the age: who is there today who goes in to rulers and does not tell them what they want to hear? Who today counsels them, and which of them would listen? The soundest course in these times, and that best calculated to preserve one's faith, is to have as little to do with them as possible.⁵⁵

The other form taken by confrontation with the state is rebellion.⁵⁶ Favourable attitudes to forbidding wrong through rebellion are less common, but they do exist. The role of forbidding wrong as a rebel slogan is familiar to historians of the early centuries of Islamic history. We have already encountered several examples of this.⁵⁷ To these we could add those of Jahm ibn Ṣafwān (d. 128/746) in late Umayyad Transoxania,⁵⁸ Yūsuf al-Barmī in Khurāsān in 160/776f.,⁵⁹ Mubārqa' in Palestine in 227/841f.,⁶⁰ and the 'Abbāsīd who rebelled in Armenia in 349/960, taking the title al-Mustajir bi'llāh.⁶¹ Attitudes favourable to this form of forbidding wrong are also reported from early Muslims who did not always get as far as actual rebellion.⁶² Thus Ibn Farrūkh (d. 175/791) considered that it was time to rebel against unjust rulers when as many men commanding right were gathered together as had been present at the Battle of Badr.⁶³ Such attitudes also characterise the early Khārījites,⁶⁴ the

⁵⁴ Khattābī (d. 388/998), *ʿUzla*, ed. Y. M. al-Sawwās, Damascus and Beirut 1987, 227.9.

⁵⁵ *Ibid.*, 228.5. Cf. also above, ch. 6, notes 187f., and the deviant view reported by Muwaffaq al-Shajari, above, ch. 9, note 74.

⁵⁶ The linkage between *al-amr bi'l-ma'rūf* and rebellion is noted, for example, in Lambton, *State and government*, 313.

⁵⁷ For the events of the years 201/817 and 231/846 in Baghdad, see above, ch. 4, notes 36–8, and ch. 5, 107. For 'Alid and Zaydī examples, see above, ch. 10, section 3. For instances from the western Islamic world, see above, ch. 14, 388–90. For the early Khārījites, see above, ch. 15, 393f. For the Ibādīs, see above, ch. 15, 395f., and notes 22, 92. Where we depend on the chroniclers, they usually give no further indication as to what the slogan meant to these rebels; with the Zaydīs and Ibādīs we are more fortunate.

⁵⁸ 'Abd al-Qāhir al-Baghdādī (d. 429/1037f.), *al-Milal wa'l-niḥal*, ed. A. N. Nādir, Beirut 1970, 145.3: *wa-kāna yuḥḥir al-amr bi'l-ma'rūf wa'l-naby 'an al-munkar wa-yakbruj bi'l-silāḥ 'alā 'l-sultān*. In the parallel passage in Ash'arī's *Maqālāt* (279.9) the linkage, as pointed out to me by Fritz Zimmermann, is not explicit.

⁵⁹ Ya'qūbī, *Ta'rikh*, 2:478.15; and see E. L. Daniel, *The political and social history of Khurasan under Abbasid rule, 747–820*, Minneapolis and Chicago 1979, 166f.

⁶⁰ Tabarī, *Ta'rikh*, series III, 1320.3, noted in van Ess, *Theologie*, 2:388 n. 13.

⁶¹ Miskawayh, *Tajārib*, 2:177.7 (I owe this reference to Patricia Crone); Ibn al-Athīr, *Kāmil*, 8:394.5. Cf. also Tabarī, *Ta'rikh*, series II, 137.11, 143.8, 150.6, with regard to Ḥujr ibn 'Adī (d. 51/671f.) (I owe the first reference to Amikam Elad).

⁶² See above, ch. 1, 7f.; ch. 4, 51, and cf. note 72; ch. 5, note 192; ch. 14, 385f.

⁶³ See above, ch. 14, 385. Each had to be a better man than Ibn Farrūkh himself (Abū 'l-'Arab, *Ṭabaqāt*, 108.14). ⁶⁴ See above, ch. 15, 393f.

Ibādīs,⁶⁵ the Zaydīs⁶⁶ and at least one Mu‘tazilite;⁶⁷ in addition they are, so to speak, embalmed in the Imāmī heritage.⁶⁸ Very occasionally we find such views adopted by Sunnī scholars of later centuries. Thus Ibn Ḥazm (d. 456/1064) in developing his doctrine of forbidding wrong takes the view that it is obligatory to reprove the ruler for any act of injustice, however small. If the ruler desists and submits to the appropriate penalty, well and good; if not, he must be deposed and another appointed in his place.⁶⁹ Usually, of course, such ideas are condemned in Sunnī circles.⁷⁰ Thus we have seen how Abū Ḥanīfa (d. 150/767f.), though he does not deny that the duty might in principle make rebellion mandatory, seeks to override this alarming implication by invoking the likely costs of such action.⁷¹

The ambiguity of the concept of forbidding wrong in this connection can be illustrated by a curious paradox. While forbidding wrong can express the claims of rebels to political authority, it can also provide an alibi for those who do not wish to challenge an incumbent state too openly or directly. One instance of this is found in a letter of imam Yaḥyā Ḥamīd al-Dīn of the Yemen (r. 1322–67/1904–48) written in 1326/1909, during a period in which the Ottoman governor had adopted a conciliatory policy, and Yaḥyā’s rebellion was more or less in abeyance.⁷² Here Yaḥyā speaks of the grant of autonomy he is seeking from the Ottomans as ‘the transfer into our hands of the execution of the important duty of commanding right and forbidding wrong in the region of Yemen’.⁷³ Another such case is Muḥammad ibn ‘Alī al-Idrīsī (r. 1326–41/1908f.–1923),⁷⁴ who in the last years of Ottoman rule established a state in ‘Asīr which was later annexed by the Sa‘ūdīs. In the early years of his venture, he liked to portray himself as a local religious reformer who was loyal to the Ottoman state.⁷⁵

⁶⁵ See above, ch. 15, 395f., and note 69. ⁶⁶ See above, ch. 10, 233f.

⁶⁷ See above, ch. 9, 224, and cf. notes 5–8, 175.

⁶⁸ See above, ch. 11, note 50, and cf. also note 342 on the Nizaris.

⁶⁹ Ibn Ḥazm, *Fīṣal*, 4:175.24; see above, ch. 14, notes 258f. Compare also above, ch. 13, notes 55f.

⁷⁰ See above, ch. 4, 52f.; ch. 5, note 157; ch. 7, notes 65, 108 (and cf. ch. 15, note 7); ch. 10, note 163; ch. 12, notes 26, 29, 97; ch. 16, 446.

⁷¹ See above, ch. 1, notes 22f., 26; ch. 12, notes 7f. Likewise Ibn Khaldūn condemns those who rebel ineffectually in the name of forbidding wrong (see above, ch. 14, note 256) for their foolishness in acting when they lack the power (*qudra*) without which there is no obligation – not because what they are doing is intrinsically sinful.

⁷² For this period, see M. W. Wenner, *Modern Yemen 1918–1966*, Baltimore 1967, 46.

⁷³ So the Turkish translation of his letter of 15 Dhū ‘l-Ḥijja, 1326/1909 (Istanbul, Başbakanlık Arşivi, Hariciye Siyasi, 107/49, 9.1, made available to me by Şükrü Hanioglu).

⁷⁴ The date 1326/1908f. (which I take from M. A. ‘I. al-‘Aqīlī, (*Min ta’rīkh*) *al-Mikhlāf al-Sulaymānī*, Riyāḍ 1958 and Cairo n.d., 2:56.10) is not to be taken too seriously.

⁷⁵ See J. Reissner, ‘Die Idrīsiden in ‘Asīr’, *Die Welt des Islams*, 21 (1981), 170f. (this study was drawn to my attention by Mark Sedgwick).

In this connection, he described himself as commanding right and forbidding wrong, both in correspondence with the Ottoman authorities,⁷⁶ and in propaganda directed to the local population.⁷⁷ Others spoke of him in the same vein.⁷⁸ Likewise the activity of Maghīlī (d. 909/1503f.) in forbidding wrong laid him open to the accusation that his aim was political power.⁷⁹ The concept also lends itself to indeterminate situations: the movements aiming to restore public order in Baghdad in 201/817,⁸⁰ or the activity of the Sūfīs in Alexandria in the previous year.⁸¹

In conclusion, what the scholars have to say about the politics of forbidding wrong is marked by sharp issues and strong tensions. One basic issue, which presupposes a certain capacity for doing right on the part of the ruler, is whether the state is to be accorded a monopoly of legitimate violence in forbidding wrong. The other major issue is whether the state should be confronted for its own wrongdoing, and if so, how. What is striking is the very different way in which opinion is stacked on these two issues. With regard to the question of the monopoly of violence, the balance of opinion is fairly even; those who espouse the idea and those who reject it are alike part of the mainstream. By contrast, with regard to forbidding wrong in the face of the delinquency of the ruler, there is a clear mainstream position: rebuke is endorsed while rebellion is rejected.

3. PRIVACY AND FORBIDDING WRONG

The issues discussed by the scholars in connection with privacy are ramified. The underlying problem, however, is a straightforward clash of

⁷⁶ Istanbul, Başbakanlık Arşivi, Bâb-i Âli Evrak Odası, 271645, enclosing a letter from the Idrīsī dated 22 Jumādā I, 1327/1909. In this letter he emphasises that he is not rebelling against Ottoman rule (*laysa fī hādhibi 'l-da'wa khurūj 'alā 'l-dawla*, line 24); nevertheless he says that it is quite true that, as his addressees have heard, he is commanding right and forbidding wrong to the stream of tribesmen who are coming to see him (line 4). This document, and the further enclosure cited in the next note, were made available to me by Şükrü Hanioglu.

⁷⁷ See his pamphlet (*manshūr*) *apud* 'Aqīlī, *Mikhlāf*, 2:157.3, 161.8, 163.7 (and cf. the Koranic quotations *ibid.*, 156.6). The first of these passages is translated by Reissner ('Die Idrīsiden in 'Asīr', 171). Though I have adduced the Idrīsī in a pre-modern context, it should be noted that he was not untouched by modern influences: in the third of these passages he describes forbidding wrong as 'that Islamic natural right' (*dhālika 'l-haqq al-ṭabī'ī al-Islāmī*). A further enclosure in the source mentioned in the previous footnote is a hortatory pamphlet (*risāla*) by the Idrīsī in which he quotes Q9:71, Q3:104, and Q22:41, with brief comments (f. 2a.4), and makes other references to the duty (ff. 3b.10, 4a.3, 5b.7).

⁷⁸ See the passage of 1331/1913 from *al-Manār* cited in Reissner, 'Die Idrīsiden in 'Asīr', 171, and 'Aqīlī, *Mikhlāf*, 2:56.8, 59.12, 59.17, 65.4. But Sharif Ḥusayn of Mecca (r. 1326–43/1908–25) in 1327/1909 telegraphed his Ottoman overlords denouncing the Idrīsī as a Khārījite following the path of the Khārījites of old, who used forbidding wrong as a pretext for rebellion against Islamic states (telegram of 29 Rajab, 1327/1909, Istanbul, Başbakanlık Arşivi, Bâb-i Âli Evrak Odası, 272199; this document was made available to me by Şükrü Hanioglu).

⁸⁰ See above, ch. 5, 107. ⁸¹ See above, ch. 14, note 244.

two values: while it is a good thing to stop wrongdoing, it is a bad thing to violate privacy.⁸² How then are the conflicting demands of these two values to be reconciled?⁸³

A basic principle we encounter here is that, to trigger the duty, a wrong must in some way be public knowledge. Wrongs that are private in the sense that we do not know about them are beyond the scope of the duty;⁸⁴ we have no business going on fishing expeditions for the purpose of uncovering hidden wrongs. We may not spy and pry,⁸⁵ or raid a home on the off-chance of discovering wrongdoing in it.⁸⁶ Such wrongdoing is not in the public domain, and consequently, as is already pointed out in a Prophetic tradition, it harms only the wrongdoer.⁸⁷

While this principle is simple enough to grasp, it may not always be easy to apply. There is a considerable grey area between knowledge and ignorance, a domain ruled by inference and suspicion. Should we, for example, raid a home from which we hear the sound of music? The usual answer is that we should,⁸⁸ though there are some hesitations, nuances and contrary views.⁸⁹ More generally, whereas some require only that one have good reason to believe that wrong is being done before one enters a

⁸² As one Mālikī author stated, the believer's home is his castle (see above, ch. 14, note 173).

⁸³ I shall leave out of consideration emergencies involving rescue (see, for example, above, ch. 14, note 181; ch. 15, note 192).

⁸⁴ 'Do not investigate what is not out in the open' (see above, ch. 5, note 141). See also above, ch. 4, note 261; ch. 10, note 119; ch. 14, note 202. As Ibn Taymiyya (d. 728/1328) puts it: 'Manifest wrongs (*al-munkarāt al-zāhira*) must be acted against (*yajib inkāruhā*), in contrast to hidden ones (*al-bāṭina*), the [divine] punishment of which afflicts only the perpetrator' (*Majmū' fatāwā*, 28:205.16).

⁸⁵ See above, ch. 10, note 119; ch. 13, notes 52, 81 no. (7), 84; ch. 15, note 73; ch. 16, 436, 438. For the story of the sins of the caliph 'Umar, one of which was spying, see above, ch. 4, note 269. The story is widely quoted, see, for example, Māwardī, *Aḥkām*, 331.5; Dawānī, *Sharḥ*, 211.30; Zurqānī, *Sharḥ*, 3:108.35. For another anecdote about 'Umar, in which the Companion 'Abd al-Rahmān ibn 'Awf (d. 32/652f.) brings up the prohibition of spying, see Fasawī, *Ma'rifa*, 1:368.6 (inserting *qultu* before *arā*).

⁸⁶ For allegations of such behaviour, see above, ch. 6, notes 19, 32; ch. 8, note 90.

⁸⁷ See above, ch. 3, note 60; Ḥimyarī, *Qurb al-isnād*, 37.17 (for further Imāmī references, see above, ch. 11, note 43); and cf. Ghazzālī, *Ihyā'*, 2:285.13 (from the Syrian *tābi'ī* Bilāl ibn Sa'd), and above, ch. 8, note 42. Ibn al-Rabī' describes such wrongdoing as being between the offenders and God (see above, ch. 14, notes 176, 179). Cf. the saying noted above, ch. 3, note 64, and ch. 4, n. 262.

⁸⁸ See above, ch. 10, note 83, and cf. note 23; ch. 12, note 14; ch. 14, note 180; ch. 15, note 158 (also noting a contrary view); ch. 16, 436; and cf. ch. 10, notes 89f., and ch. 14, note 203.

⁸⁹ Khallāl, *Amr*, 117 no. 75 (cf. above, ch. 5, note 63). For Māwardī's view that the *muhtasib* should not actually enter the home, see below, note 106, and contrast the view of Ibn al-Rabī' on the duty of the authorities in such cases (see above, ch. 14, note 172). Regarding some finer points, Ibn Ḥanbal says that you have no duty if you do not know where the sound is actually coming from (see above, ch. 5, note 141), while the Ibādīs say that you have no obligation if others can hear the sound of wrongdoing, but you yourself cannot hear it (see above, ch. 15, note 189).

home,⁹⁰ others require actual knowledge.⁹¹ Likewise Ghazzālī is inclined to the view that the aroma of liquor is enough to proceed on,⁹² whereas it would seem that, in the opinion of Ibn Mas‘ūd (d. 32/652f.), it is not enough even for a man’s beard to be dripping with wine.⁹³ What if we discern under someone’s robe a shape that looks uncommonly like a bottle of liquor or a lute? Here the views of Ibn Ḥanbal (d. 241/855) are mutually inconsistent.⁹⁴ What of a suspicious jar? Again, Ibn Ḥanbal’s views seem not to hold together;⁹⁵ likewise one Zaydī authority says that one should proceed if one has good reason to believe that the jar contains wine,⁹⁶ whereas another requires actual knowledge in such a case.⁹⁷ What if a couple walking in the street look as if they might be unmarried? The caliph al-Ma’mūn would seem to be a champion of their right to a presumption of innocence against intrusive busybodies;⁹⁸ Mālik (d. 179/795), on the other hand, seems closer on this issue to the zealot whom al-Ma’mūn is ridiculing.⁹⁹

If we do know, then the duty is activated. The severity of our response may, however, be mitigated by the Prophetic injunction not to disclose the shameful aspects of the lives of outwardly respectable Muslims.¹⁰⁰ Thus this principle of ‘covering up’ (*ṣatr*) may stand in the way of our reporting such wrongdoing to the state,¹⁰¹ and it provides a convincing rationale for the preference for rebuking offenders in private.¹⁰²

An important feature of these Muslim ideas of privacy, and one relevant to forbidding wrong, is what might be called their procedural rather than substantive character. That is to say, we do not seem to have here the notion that certain kinds of behaviour are inherently private, and as such immune to public scrutiny. What is protected is not ‘private life’ but rather

⁹⁰ See above, ch. 10, notes 23, 83, 118; cf. also ch. 6, note 176; ch. 15, notes 187–91; ch. 16, 436, 438.

⁹¹ See above, ch. 9, note 28, and cf. ch. 10, note 118, and ch. 15, note 192.

⁹² See above, ch. 16, 436.

⁹³ See above, ch. 4, note 261. Compare Ibn Ḥanbal’s view that it is enough to void the duty for chess-players to cover the board or move it behind them (see above, ch. 5, note 149).

⁹⁴ See above, ch. 5, notes 144–7. For the distinctions Ghazzālī makes on this question, see above, ch. 16, 436. ⁹⁵ See above, ch. 5, notes 139, 143.

⁹⁶ See above, ch. 10, note 82. ⁹⁷ See above, ch. 10, note 120.

⁹⁸ See above, ch. 1, 10f.

⁹⁹ See above, ch. 14, note 7. Cf. also above, ch. 6, note 19, on the activity of Ḥanbalite zealots in the days of Barbahārī (d. 329/941). Ibn Ḥanbal says that one should accept the word of a man who claims to have remarried his ex-wife (see above, ch. 5, note 142).

¹⁰⁰ See above, ch. 3, note 61; ch. 4, note 265; and cf. ch. 6, note 152; ch. 16, note 276.

¹⁰¹ See above, ch. 4, note 265, and cf. note 268.

¹⁰² See Ibn Taymiyya, *Maḥmū‘ fatāwā*, 28:217.11. For this preference, see above, ch. 4, 79f.; ch. 6, note 163; ch. 7, note 110; ch. 8, note 30; ch. 12, note 36; ch. 13, note 35; ch. 16, note 276.

‘hidden sin’: behaviour that happens not to be public knowledge – or more precisely, not known to others who might otherwise be obligated to forbid it. Wrongdoing that is confined within a home can still trigger the duty for others who live in that home: a wife may be obligated to rebuke her husband, and a son his parents.¹⁰³ Likewise someone from outside the home who for any reason happens to be there, and encounters wrongdoing, may be obligated to do something about it.¹⁰⁴ One view that makes this point very sharply concerns the duty of a person who has learnt of wrongdoing by spying: on the one hand he has to repent of his spying, and on the other he has to forbid the wrong.¹⁰⁵ The difference between Muslim thinking and that of the modern West is thus not simply that there is no single Muslim concept corresponding to the Western notion of privacy. It is also that the Muslim concepts are of a significantly different kind.¹⁰⁶

It is perhaps in part for this reason that the Muslim discussion of privacy and forbidding wrong has a very different texture from the discussion of the political issues. While the views of the scholars are not entirely homogeneous on questions of privacy, this inhomogeneity does not seem to have generated any burning issues or dramatic polarisations of opinion.

There is another illustration of this phenomenon which is worth considering here in some detail: the sketchy treatment of the performance of the duty by women and slaves, two categories of persons juridically precluded from participating in the public life of Muslim society on the same terms as free adult males.

Let us start with women. In some ways it seems obviously inappropriate for women to exercise the authority presupposed by forbidding wrong, except perhaps in restricted contexts. Men are a step above them (Q2:228), and are the managers of their affairs (Q4:34). At the same time, the place of women is in the home (cf. Q33:33), and for them to be seen or heard

¹⁰³ See above, ch. 4, note 239; ch. 5, 93, and cf. note 72; ch. 11, notes 315f.; ch. 13, note 132; ch. 14, note 22; ch. 16, 431f.

¹⁰⁴ See above, ch. 5, notes 139–40, but cf. note 138. ¹⁰⁵ See above, ch. 15, note 73.

¹⁰⁶ I shall return to this point (see below, ch. 20, 593f.). A passage that does perhaps suggest a distinction of the Western type occurs in the discussion of the duty of the official *muḥtasib* given by Māwardī. The *muḥtasib* – like anyone else – has no right to spy into ‘forbidden things which have not become manifest’ (*Aḥkām*, 330.1, with parallel text in Abū Yaʿlā, *Aḥkām*, 295.16; Māwardī requires him to investigate manifest wrongs, while not imposing this on the individual, see Māwardī, *Aḥkām*, 315.10, and Abū Yaʿlā, *Aḥkām*, 284.15). What then if he (presumably the *muḥtasib*) hears the sound of music coming from a home? The answer is that he takes action against it (*ankarabā*) outside the home, without pushing his way in, since the wrong (that concerns him) is a public (*ẓāhir*) one, and it is not his business to uncover a further private (*bāʿin*) one (Māwardī, *Aḥkām*, 331.8; Abū Yaʿlā, *Aḥkām*, 297.5, with a better text, which I follow).

outside it poses a risk of sexual temptation. They also lack judgement.¹⁰⁷ Yet in other ways it seems obvious that they too should command and forbid. Unlike children, they are subject to the law just as men are; and in one verse God specifically includes the female believers (*al-mu'mināt*) among those who command right and forbid wrong (Q9:71). The question cries out for some incisive and yet nuanced thinking at once to establish their duty and to settle its boundaries. Surprisingly, we get very little of this; most authors pass by the issue in silence,¹⁰⁸ and those who do not are often laconic at best. It is, however, worth bringing together the views of those scholars – disproportionately Ibādī – who have something to say on the matter.¹⁰⁹

Outright nay-sayers are in a minority, but they can be found. The eastern Ibādī Muḥammad ibn Maḥbūb (d. 260/873) takes it for granted that women are not obligated,¹¹⁰ and Sālīmī (d. 1332/1914) supports this view by invoking the duty of women to keep their voices down.¹¹¹ The Zaydī al-Mu'ayyad Yaḥyā ibn Ḥamza (d. 749/1348f.) excludes them from forbidding wrong, and gives two reasons for this: first, their frivolity and weakness; and second, the fact that the law does not even give them authority over themselves, let alone in such a weighty matter as forbidding wrong.¹¹² There is an interesting difference of approach here: whereas for Yaḥyā ibn Ḥamza women are intrinsically incapable of forbidding wrong, for Sālīmī their exclusion arises from an extrinsic legal restriction on their public behaviour. Turning to the Sunnīs, the negative view is less prominent here. An exegetical opinion adduces women as an example of those who are unable to perform the duty.¹¹³ The eastern Ṣūfī Yaḥyā ibn Mu'adh

¹⁰⁷ Thus Tha'labī (d. 427/1035) mentions their intellectual deficiency (*nuqṣān 'aqlīyā*) in a list of the fifteen negative qualities with which Eve and her daughters have been afflicted (*Qīṣaṣ al-anbiyā'*, Beirut n.d., 29.5). He justifies this by citing a tradition in which some women ask the Prophet what this supposed deficiency consists in; in reply he points out that a woman's testimony is worth only half that of a man (cf. Q2:282).

¹⁰⁸ For example, we have no statements on the question from the classical Mu'tazilite authors (cf. above, ch. 9, note 146), the pre-modern Imāmī jurists, or Ibn Taymiyya (cf. above, ch. 7, note 68). Imāmī sources quote the advice of 'Alī (r. 35–40/656–61) that when women tell one to do something perfectly proper one should nevertheless do the opposite (*in amarnakum bi'l-ma'rūf fa-khālīfuhunna*) so that they do not seek to get their way in improper things (see, for example, Kulaynī, *Kāfī*, 5:517 no. 5; Mufid, *Iktisāṣ*, 226.15; al-Ḥurr al-'Āmilī, *Wasā'il*, 7:1:128.14). The wording might be taken to suggest that the saying is about *al-amr bi'l-ma'rūf*, but the scholars do not mention it in their discussions of this topic; and in another wording there is no mention of commanding right (Raḍī, *Nahj al-balāgha*, *apud* Ibn Abī 'l-Ḥadīd, *Sharḥ*, 6:214.7). I owe most of these references to Abraham Hakim.

¹⁰⁹ For the Ibādī role in general, see above, ch. 15, notes 250, 258. For the early roots of this, see above, ch. 15, notes 20f. ¹¹⁰ See above, ch. 15, notes 167f.

¹¹¹ See above, ch. 15, note 225. ¹¹² See above, ch. 10, notes 140f.

¹¹³ See above, ch. 2, note 20.

(d. 258/872) once spoke on forbidding wrong; a woman objected that her sex was exempt from this obligation (*hādhā wā jib qad wuḍi'a 'annā*), to which Yahyā responded that this might be so as far as hand and tongue were concerned, but not in the case of the heart.¹¹⁴ The practical difference between his position and that of his female interlocutor is not a substantial one. Nabarāwī (writing in 1243/1828) finds in the ‘three modes’ tradition an assertion of the dominance of males over females, though he does not tell us whether this excludes women from performing the duty altogether.¹¹⁵

Positive views are well represented among the Ibādīs and Sunnīs. The western Ibādī Jayṭālī (d. 750/1349f.), in adopting Ghazzālī’s account of forbidding wrong, not only retained his inclusion of women, but also took the trouble to insert the point in a couple of other passages.¹¹⁶ Among the eastern Ibādīs, Ibn Baraka (fourth/tenth century) wanted women to sally forth to forbid wrong like men,¹¹⁷ while Khalīlī (d. 1287/1871) as reported by Sālīmī held that women should perform the duty by word and deed, since Q9:71 placed them on the same footing as men.¹¹⁸ Among the Sunnīs, by far the most important authority to specify the inclusion of women was Ghazzālī, though he did not argue the point.¹¹⁹ This was a direct invitation to those who followed his account to do likewise – as some did,¹²⁰ though others did not.¹²¹ His view probably influenced further scholars indirectly. Thus the inclusion of women is a feature of some commentaries on the ‘three modes’ tradition,¹²² and is found in works of Ibn al-Naḥḥās (d. 814/1411),¹²³ Ibn Ḥajar al-Haytamī (d. 974/1567),¹²⁴ ‘Abd al-Ghanī al-Nābulusī (d. 1143/1731),¹²⁵ and Mīrghanī (d. 1207/

¹¹⁴ Ibn Qayyim al-Jawziyya, *I‘lām*, 2:176.20. He speaks of *silāḥ al-qalb*; if this is not just rhetoric, it suggests that he was thinking of performance by (rather than in) the heart.

¹¹⁵ Nabarāwī, *Sharḥ ḥadīth al-Arba‘in*, ms. 171.21 (*wa-fihi taḡhlīb al-dbukūr li-quwwatibim ‘alā ‘l-ināth*).

¹¹⁶ See above, ch. 15, notes 60f. ¹¹⁷ See above, ch. 15, note 169.

¹¹⁸ See above, ch. 15, note 224, and compare also the later view cited there. Khalīlī’s position was actually more complex (see below, note 132).

¹¹⁹ See above, ch. 16, note 15.

¹²⁰ Khwārazmī, *Dhukhr*, f. 117a.19; ‘Iṣmāt Allāh, *Raqīb*, f. 6b.3; Ḥaydarīzāde, ‘Amr bi’l-ma‘rūf’, 108b.1.

¹²¹ Instances are Hamadānī, *Dhakhīra*, 166.1, and Tāshköprizāde, *Miftāḥ*, 3:302.11.

¹²² Taftazānī, *Sharḥ ḥadīth al-Arba‘in*, 105.16; Muḥammad ibn Aḥmad al-Ḥanafī (writing 812/1410), *Sharḥ al-Arba‘in*, ms. London, British Library, Or. 12,543, f. 92b.8 (for the date of writing, see *ibid.*, f. 111b.9; I take the author’s name on trust from the British Library catalogue, see R. Vassie (ed.), *A classified handlist of Arabic manuscripts acquired since 1912*, London 1995–, 2:56 no. 370); Muṣliḥ al-Dīn al-Lārī, *Sharḥ al-Arba‘in*, f. 141b.5; also Rajab, *Wasīla*, 761.18.

¹²³ See above, ch. 13, note 122. He invokes Q9:71.

¹²⁴ Ibn Ḥajar al-Haytamī (d. 974/1567), *al-Zawāḥir ‘an iqtirāf al-kabā’ir*, Cairo 1980, 600.25. See also Shirbinī, *Mughnī*, 4:211.13 (quoting Ghazzālī).

¹²⁵ See above, ch. 12, note 184.

1792f.).¹²⁶ To my knowledge, the only Sunnī who makes the point before Ghazzālī is Ibn Ḥazm.¹²⁷

There are also a few intermediate positions. One way to articulate such a position was in terms of the three modes. We have already noted a view confining the obligation of women to performance in the heart, close though this is to excluding women altogether.¹²⁸ The eastern Ibādī jurist Shaqṣī (*fl. c.* 1034/1625) states that women are not obligated to perform the duty by deed, but should do it verbally if they can.¹²⁹ It would also be possible to formulate a compromise position by taking account of the fact that women are less able to perform the duty than men, though I have not seen this done.¹³⁰ Views that explicitly address the questions of privacy that arise in connection with women are found among the eastern Ibādīs. Kudamī (fourth/tenth century) holds that women are excused from forbidding wrong verbally, but notes the view that they may do so provided they do not flaunt their sexuality; his preference is for them to stay at home.¹³¹ Khalīlī makes a sharp distinction: on the one hand a woman is obligated with regard to other women and to males within her family, but on the other hand it is improper for her even to be present in a male gathering that includes wrongdoers – though if she is in a position to do so, it could well be her duty to send someone to forbid them.¹³² It is possible that these eastern Ibādī jurists – Kudamī, Shaqṣī and Khalīlī – were highly unusual in their attitudes; but it is just as likely that they were giving formal articulation to something widely accepted as common sense. Thus what they prescribe fits well with what I have been told of recent practice in traditional religious circles in Iran.

Occasionally there is anecdotal or biographical attestation of the forbidding of wrong by women. The case of a rather shadowy female Companion of the Prophet, Samrāʾ bint Nahīk, has already been considered;¹³³ as we

¹²⁶ See above, ch. 12, note 184.

¹²⁷ Ibn Ḥazm (d. 456/1064), *al-Iḥkām fī uṣūl al-aḥkām*, ed. A. M. Shākir, Cairo 1345–7, 3:81.22; and cf. his *Muḥallā*, 9:430.7. In general, writers on *uṣūl al-fiqh* do not seem to mention forbidding wrong when discussing how the masculine gender is to be construed in Koran and *ḥadīth*.

¹²⁸ See above, note 114. This view is also attributed to the eastern Ibādī Muḥammad ibn Maḥbūb (d. 260/873) (see above, ch. 15, note 168, and cf. note 222).

¹²⁹ See above, ch. 15, note 172.

¹³⁰ Shaqṣī's wording perhaps carries the suggestion that women are less able to administer verbal rebukes than men (see the previous note). Compare the view that women are unable to perform the duty (see above, note 113), the inclusion of weakness among the grounds on which Yaḥyā ibn Ḥamza excludes women (see above, note 112), and Nabarāwī's remark on the strength of males (above, note 115).

¹³¹ See above, ch. 15, notes 170f. ¹³² See above, ch. 15, note 237.

¹³³ See above, ch. 4, 82f., and ch. 5, note 73.

saw, we cannot be sure that she had not been officially appointed to discharge the duty. Jayṭālī tells of an old woman of the Jabal Nafūsa who urged another not to give up her share of commanding and forbidding.¹³⁴ Umm Zaynab (d. 714/1315) had a reputation for performing the duty, including doing things that men could not do; but this too may in part reflect the tenure of an office.¹³⁵

The scholars seem to have been significantly less interested in slaves than they were in women. This difference is particularly striking in the case of Ibādism. Here only Jayṭālī and Khalīlī, both prompted by Ghazzālī, address the issue – Jayṭālī to include slaves, Khalīlī to exclude them on the grounds that they lack the power to act and their business is the service of their masters.¹³⁶ Nevertheless, those who consider the question of women often mention slaves alongside them. On the one hand, Ibn Ḥazm, Ghazzālī and several later authors do so to include them,¹³⁷ while a responsum of Ibn Ḥanbal presupposes that a slave is subject to the duty.¹³⁸ And on the other, Yaḥyā ibn Ḥamza mentions slaves along with women to exclude them, giving as reasons their low status and, presumably, lack of authority;¹³⁹ they are likewise excluded by the Ḥanbalite ‘Abd al-Qādir al-Jīlī (d. 561/1166).¹⁴⁰

Overall, the sparsity of the discussion is striking. The Mu‘tazilites and Imāmīs do not raise the question of women and slaves at all. The Sunnīs offer no reasoned discussion. Only one Zaydī and one Ibādī do this for both categories; and only the Ibādīs manifest a continuing interest in the question of women, or directly address the implications of their segregation.¹⁴¹ We are left to wonder whether the scholars felt the answers to be so obvious that they went without saying, or the questions to be so tricky that they were best left alone.

¹³⁴ See above, ch. 15, note 62.

¹³⁵ See above, ch. 7, note 68. I owe to Adam Sabra the information that Umm Zaynab was in charge of a hospice in Cairo (the Ribāṭ al-Baghdādiyya) which housed divorced or separated women in conditions of strict discipline (Maqrīzī (d. 845/1442), *Khiṭaṭ*, Būlāq 1270, 2:428.3).

¹³⁶ For Jayṭālī, see above, ch. 15, notes 60f.; for Khalīlī, see above, ch. 15, note 233. Cf. also note 20.

¹³⁷ Ibn Ḥazm, *Muḥallā*, 9:430.5; for Ghazzālī, see above, ch. 16, note 15; for Jayṭālī, see the previous note; for Taftazānī, see above, ch. 13, note 108; for Ibn al-Naḥḥās, see above, ch. 13, note 122; Muḥammad ibn Aḥmad al-Ḥanafī, *Sharḥ*, f. 92b.8; Ibn Ḥajar al-Haytamī, *Zawājir*, 600.25; Shirbīnī, *Mughnī*, 4:211.13 (quoting Ghazzālī); ‘Ismat Allāh, *Raḡīb*, f. 6b.3; Mīrghani, *Baḥr*, f. 216b.4; Ḥaydarizāde, ‘Amr bi’l-ma‘rūf’, 108b.1.

¹³⁸ See above, ch. 5, note 71. ¹³⁹ See above, ch. 10, notes 140, 142.

¹⁴⁰ See above, ch. 6, note 159.

¹⁴¹ There is also a resonance of this in the case of Umm Zaynab (see above, note 135).

4. THE SOCIAL CONTEXT OF FORBIDDING WRONG

According to an account attributed to Ibn ‘Abbās (d. 68/687f.), the eight gardens of Paradise have eight golden gates, typically named for those who practise a particular duty or virtue, and whose privilege it will be to enter the abode of bliss by that gate.¹⁴² The fourth is ‘the gate of those who command right and forbid wrong’.¹⁴³ What sorts and conditions of men are destined to use this gate?

One thing that is clear is that this will be an overwhelmingly urban population. Our biographical material is, of course, almost solidly urban. Our doctrinal material is likewise urban centred. Ibn Ḥanbal’s numerous responsa on forbidding wrong include only one with a rural setting.¹⁴⁴ Ghazzālī betrays the urban character of his world when he tells us that it is the duty of every scholar who can do so to go out from his town (*balad*) to the rural population (*ahl al-sawād*) around it.¹⁴⁵ In the same way he says that every Muslim must begin with himself, extending his efforts till they embrace his town, and after that the people of the countryside.¹⁴⁶ Ismā‘īl Ḥaqqī (d. 1137/1725) thinks of the powerful as ‘the notables of every town’.¹⁴⁷ When the people of Toledo could not endure the zeal of Ibn ‘Ubayd (*fl.* first third of the fourth/tenth century) in forbidding wrong among them, he retired to a village.¹⁴⁸ Against this background the rural Ḥanbalism of Palestine stands out as something of an exception in the Sunnī world, though doubtless it would not have looked out of place in some Zaydī and Ibādī environments.¹⁴⁹

Within this predominantly urban society, what is the social locus of forbidding wrong? The obvious and inescapable answer is the scholarly elite.¹⁵⁰

¹⁴² Kisāʾī, *Qīṣaṣ al-anbiyāʾ*, 17f.

¹⁴³ *Ibid.*, 18.4 (*bāb al-āmīrīn biʾl-maʾrūf waʾl-nāhīn ʿan al-munkar*).

¹⁴⁴ See above, ch. 5, notes 70, 155.

¹⁴⁵ Ghazzālī, *Ihyāʾ*, 2:313.13 (see above, ch. 16, 445f.); in the same passage he opposes *balad* to *qarya* (*ibid.*, 313.12). Likewise when we tactfully tell a rustic who does not know how to pray properly that perhaps his village lacks a scholar (see above, ch. 16, 439), it seems that we are not in his village; presumably we are in town. ¹⁴⁶ *Ibid.*, 313.27.

¹⁴⁷ See above, ch. 12, note 95.

¹⁴⁸ See above, ch. 14, note 192.

¹⁴⁹ For Palestine, see above, ch. 7, note 125. The eastern Ibādī scholar Muḥammad ibn Maḥbūb, in a letter to his western brethren, considers the question whether it is more appropriate for a group (*qawm*) possessed of virtue and knowledge to sit at home responding to requests for *fatwās*, or instead to go out to the countryside and the villages (*al-sawād waʾl-qurā*) commanding right and forbidding wrong, with men and women gathering around them and making them presents of food and other goods when they depart (*Sīra*, in Kāshif, *Siyar*, 2:250.3).

¹⁵⁰ In a happy phrase of A. Morabia, forbidding wrong ‘fut, surtout, l’apanage des ulémas’ (*Le ḡhīhād dans l’Islam médiéval*, Paris 1993, 315; I owe this reference to Giorgio Vercellin).

This does not mean, of course, that the duty is restricted to scholars. As is regularly emphasised, it is incumbent on Muslims at large,¹⁵¹ and not just on scholars.¹⁵² That it is not intended to be confined to a religious elite is likewise suggested by the much-repeated doctrine that the sinner too is obligated;¹⁵³ though the point is sometimes made that a virtuous man has a better chance of success,¹⁵⁴ it is most uncommon for the duty of the sinner to be denied outright.¹⁵⁵ The obligation to forbid wrong is, of course, subject to knowledge of right and wrong in the case in point.¹⁵⁶ But this need not be unduly restrictive. While there are wrongs that it takes a scholar to evaluate, there are others that require no such expertise, and can thus be tackled by laymen.¹⁵⁷

There is, nevertheless, a tendency to make scholars rather than laymen the primary agents of the duty. A widespread example of this is the relevant part of the saying about the tripartite division of labour: performance with the tongue is for scholars, while the common people should do it with (or within) their hearts.¹⁵⁸ Some scholars express similar views in different terms,¹⁵⁹ or in other ways lay great emphasis on the role of the scholars, or even use language that would restrict the duty to them.¹⁶⁰ The biographical record is naturally heavily biased towards the exploits of scholars, since it is they who get the biographies. Sometimes the assumption of the centrality of the scholars is revealed unthinkingly, as when Ghazzālī, lamenting the decay of the art of rebuking rulers, complains that today the *scholars* are silent;¹⁶¹ it does not occur to him to mention the Muslims at large. Occasionally a scholar's sense of the dignity of his estate is expressed in the

¹⁵¹ See above, ch. 6, note 121; ch. 8, notes 46, 72; ch. 9, note 149; ch. 10, notes 75, 111; ch. 11, note 312; ch. 13, notes 53, 58, 60, 63; ch. 14, note 228; ch. 15, note 141; ch. 16, 429, 445f., and note 201. ¹⁵² Cf. above, ch. 2, note 23.

¹⁵³ See above, ch. 4, note 212; ch. 6, note 123; ch. 11, notes 216, 295, 297; ch. 12, notes 48, 129, 206; ch. 13, notes 73, 81 no. (2), 91; ch. 14, notes 20f., 56; ch. 16, notes 15, 20f. For a discussion of the question by Ibn Ḥazm, see his *Risālat al-talkhīṣ*, edited with his *al-Radd 'alā Ibn Naḡhrīla al-Yahūdī* by I. 'Abbās, Cairo 1960, 178–82 (drawn to my attention by Etan Kohlberg).

¹⁵⁴ So above, ch. 6, note 123; ch. 14, note 30; and ch. 16, note 22.

¹⁵⁵ So above, ch. 13, notes 28f.; and cf. ch. 6, note 162, and ch. 15, note 201.

¹⁵⁶ See above, ch. 6, note 129; ch. 7, note 63; ch. 8, note 70, and cf. 125; ch. 9, note 70; ch. 11, 276 no. (1); ch. 12, notes 39, 49; ch. 13, notes 58, 81 no. (2), 92; ch. 14, 363; ch. 16, note 93.

¹⁵⁷ See above, ch. 6, note 124; ch. 9, note 70; ch. 12, notes 79, 89; ch. 13, note 48, and cf. note 62; ch. 16, note 48, and cf. 445f.; and cf. ch. 15, note 201.

¹⁵⁸ See above, notes 29f. For scholars who find the saying problematic, see above, note 41.

¹⁵⁹ See above, ch. 13, 342 (but cf. note 30), note 142, and cf. note 37; ch. 14, note 67; and cf. ch. 16, notes 274, 276.

¹⁶⁰ See above, ch. 2, notes 22f.; ch. 11, notes 340f.; ch. 12, note 88; and cf. above, ch. 7, notes 79f., and ch. 11, note 31. ¹⁶¹ See above, ch. 16, note 124.

stipulation that laymen are not to rebuke scholars,¹⁶² and there is even the view that the scholars themselves are not to forbid wrong unless they are dressed as scholars.¹⁶³ But this kind of thing is uncommon; even in societies in which we have reason to believe that clerical authority was considerable, the formal doctrine of forbidding wrong does not usually reflect this.¹⁶⁴

Leaving aside the explicit statements the scholars make from time to time about their role in forbidding wrong, it could fairly be said that the broad character of the duty as they shaped it in their doctrines was one fitted to their own social role. The essence of the duty is the exercise of moral authority; any support this authority gains from the power of a state or the violence of a mob is extrinsic. A paradigmatic figure here might be Ibn Karrām (d. 255/869), the founder of the Karrāmiyya.¹⁶⁵ With a group of his disciples he once encountered some young men who had seated themselves and were engaged in drinking wine.¹⁶⁶ The indignant disciples wanted to right this wrong and put a stop to the drinking, but Ibn Karrām told them to hold off so that he could show them how to command right. He then went up to the tipplers and greeted them. One of them stood up and handed Ibn Karrām a cup; Ibn Karrām took the cup, and addressed them. He referred to their custom of talking about those they loved (*aḥibbāʾ*) as they drank, and suggested that instead they contemplate their own mortality. On this theme he waxed so eloquent that the young men arose, broke the instruments of their depravity, and repented.¹⁶⁷ The doctrinal analogue of this anecdote is the frequent emphasis on performing the duty nicely.¹⁶⁸ That the authority in play is moral is also evident when the refusal of the offender to comply is sooner or later accepted as a regrettable but not undignified outcome of an attempt to forbid wrong.¹⁶⁹ The same

¹⁶² See above, ch. 12, note 143, and ch. 16, note 271. ¹⁶³ See above, ch. 13, note 142.

¹⁶⁴ See above, ch. 11, note 312, and ch. 15, 403f.

¹⁶⁵ See *EP*², art. 'Karrāmiyya' (C. E. Bosworth).

¹⁶⁶ Abū Ḥafṣ al-Samarqandī (second half of the fifth/eleventh century), *Rawnaq al-majālis*, ms. Istanbul, Süleymaniye, Aya Sofya 1,832, f. 54b.15 (my access to this manuscript is through a typewritten copy); 'Uthmān ibn Yaḥyā ibn 'Abd al-Wahhāb al-Mīrī, *Mukhtaṣar Rawnaq al-majālis*, Damascus and Beirut 1985, 76.9. For Samarqandī's work, see van Ess, *Ungenützte Texte zur Karrāmiyya*, 30–41 (for the manuscript here cited, see *ibid.*, 35 n. 136, and for Mīrī's epitome, *ibid.*, 41). Ibn Karrām is referred to as *al-imām al-zāhid Abū 'Abdallāh* (see *ibid.*, 31, with reference to our passage).

¹⁶⁷ Samarqandī, *Rawnaq*, f. 55b.1; Mīrī, *Mukhtaṣar*, 77.12.

¹⁶⁸ See above, ch. 3, note 59; ch. 4, 78f.; ch. 5, notes 92f.; ch. 6, note 126; ch. 7, note 61; ch. 8, notes 30, 102, 161; ch. 12, note 39; ch. 13, note 34; ch. 14, notes 10, 31, 55; ch. 16, 439, 442; and cf. ch. 15, note 70.

¹⁶⁹ On this question, see above, ch. 4, 78; ch. 5, notes 132–4; ch. 11, note 37; ch. 13, note 81 n. (6), and 352; ch. 14, notes 11, 151–5; ch. 15, notes 48, 180f., 209; ch. 16, note 41.

is true of such notions as performing the duty in or with the heart,¹⁷⁰ and avoiding it by emigration¹⁷¹ or otherwise.¹⁷² To these we can perhaps add the counsels of despair which discourage the forbidding of wrong altogether, at least in these evil times.¹⁷³ For despite all that is wrong with the world, God is still in His heaven, ultimately though not proximately vindicating the moral order for which the scholars speak.

Against this background, the association of the duty with violence looks anomalous, and to an extent it is. One thing that is striking here is the frequency with which the scholars yoke forbidding wrong to holy war.¹⁷⁴ The goldsmith of Marw describes his denunciation of Abū Muslim as waging holy war against him with his tongue,¹⁷⁵ and the tradition he enacts through his death identifies speaking out against an unjust ruler as the highest form of holy war.¹⁷⁶ It is argued on the analogy of holy war that one forbiddener of wrong should be prepared to take on two men.¹⁷⁷ The Imāmīs treat forbidding wrong as a part of holy war, inasmuch as they assign it a place in the section of the law-book that deals with that topic.¹⁷⁸ Others invert the relationship, considering holy war to be a part of forbidding wrong.¹⁷⁹ Perhaps it is immaterial which is part of which. Ḥalīmī

¹⁷⁰ See above, ch. 3, notes 5, 51; ch. 4, notes 221f.; ch. 5, 95f., and note 184; ch. 7, notes 60, 122; ch. 8, notes 70, 101; ch. 9, notes 76, 165, but cf. notes 56, 170; ch. 10, notes 13, 145, 151, 155f., 160, 162, 167; ch. 11, 263f., 283f., and notes 18–20, 81f., 338; ch. 12, notes 85, 93, 204, 219; ch. 13, notes 13, 54; ch. 14, notes 12, 55, 162; ch. 15, notes 48, 74, 168, 174, 222; ch. 16, note 82, but cf. note 75; and above, notes 114, 128. For the role of the heart in the saying about the tripartite division of labour, see above, notes 29f. See also Ṭabarī, *Tahdhīb al-āthār*, *Musnad ‘Alī*, 243.6, and Muqātil, *Khams mi’a*, 279.15 (giving something close to the ‘three modes’ tradition on his own authority; the text is corrupt, read *bi-fi’l* and *bi-qawl*).

¹⁷¹ See above, ch. 4, notes 218, 220; ch. 7, note 69; ch. 12, notes 11, 40f.; ch. 13, note 15; ch. 14, notes 24, 213, 240; but cf. ch. 8, note 35, and ch. 16, 432 no. (1).

¹⁷² See above, ch. 4, 75; ch. 5, note 111; ch. 7, note 2; ch. 14, notes 29, 191; ch. 16, 432 no. (1), and note 110.

¹⁷³ See above, ch. 2, note 85; ch. 3, 42; ch. 4, 76f.; ch. 5, 106; ch. 11, note 33; ch. 12, notes 27, 29f.; ch. 14, notes 46–8, 82; ch. 15, notes 38, 41; ch. 16, notes 269, 272. There is an analogy here between the Imāmī notion of *hudna* (see above, ch. 11, note 33) and the Ibādī notion of *kitmān* (see above, ch. 15, note 38).

¹⁷⁴ See, in addition to what follows, above, ch. 2, notes 25f., 29, 45, 78, and cf. note 6; ch. 3, notes 31–3; ch. 4, note 39; ch. 8, notes 33, 58, 96; ch. 10, notes 4–7, 39, 45; ch. 11, notes 50, 323; ch. 12, 313; ch. 13, note 8; ch. 16, notes 43, 91; Ibn Ḥazm, *Fīṣal*, 4:175.6; Ṣāliḥī, *Kanz*, 61.22. For a statement of three differences between *al-amr bi’l-ma’rūf* and *jihād*, see the gloss *apud* Ibn Miṭṭāḥ, *Muntaza’*, 4:582.10. The second difference is that old men and women may be killed in the course of *al-nahy ‘an al-munkar*, but not in *jihād* (for this see also Ṣu’aytirī, *Ta’līq*, f. 390b.27).

¹⁷⁵ See above, ch. 1, note 2. ¹⁷⁶ See above, ch. 1, note 18.

¹⁷⁷ See above, ch. 4, note 196; and cf. ch. 14, note 169, and ch. 15, note 175.

¹⁷⁸ See above, ch. 11, note 2; for the Zaydīs, cf. ch. 10, note 72. The Shāfi’ite Ḥalīmī (d. 403/1012) would regard such an arrangement as valid in principle (*Minhāj*, 3:216.13).

¹⁷⁹ For Jaṣṣāṣ (d. 370/981), *jihād* is a species (*ḍarḥ*) of *al-amr bi’l-ma’rūf* (*Aḥkām*,

(d. 403/1012) tells us that there is no fundamental difference between them: both involve calling people to Islam, and if need be fighting them in this cause.¹⁸⁰ Indeed some authors elevate forbidding wrong above holy war: one remarks that it is the more binding duty,¹⁸¹ another that it earns the greater reward.¹⁸² One scholar made the observation – perhaps a trifle parochial or premature – that since the infidel threat had so diminished in his day, what remained was spiritual struggle, speaking out, and forbidding wrong.¹⁸³ Such views can, of course, be understood as a way for the scholars to make their own activities seem as portentous, or more so, than those of generals: the cumulative effect is perhaps more militant than martial.¹⁸⁴

Violence does, of course, play a much more concrete part in the duty, and sometimes quite vividly. There is an unmistakable thrill of violence in the rhetoric of Zaydī insurrection,¹⁸⁵ and we catch it again in the long activist tradition transmitted by the Imāmīs.¹⁸⁶ The image of the Ḥanafī Salm ibn Sālim al-Balkhī (d. 194/810) girt with his sword, or talking of raising 100,000 swords against the caliph, is of a piece with this.¹⁸⁷ But in general, those who leave ordinary people free to resort to violence, where the exigencies of forbidding wrong require it, do so in a prosaic and legalistic fashion.¹⁸⁸ Others are quite obviously civilian in their approach, as with those who make over armed violence to the political authorities, or allow it only in cooperation with them, or with their permission.¹⁸⁹ Ḥasan al-Baṣrī speaks as a civilian when he contrasts the swords of the rulers with

3:119.26). For Fakhr al-Dīn al-Rāzī (d. 606/1210), it belongs under the heading (*bāb*) of *al-amr bi'l-ma'rūf* (*Tafsīr*, 16:205.1 (to Q9:112)); a few lines further down, he remarks that the main part of the duty (*ra's al-amr bi'l-ma'rūf*. . . *wa-ra'isubū*) is *jihād* (*ibid.*, 205.7). For Ibn Taymiyya, the 'completion' of *al-amr bi'l-ma'rūf* is by *jihād* (see above, ch. 7, note 56). For Shāṭibī (d. 790/1388), the duty of *jihād* which was imposed in Medina was a branch (*far'*) of *al-amr bi'l-ma'rūf*, which was already established in Mecca (*Muwāfaqāt*, 3:50.6). For Najafī (d. 1266/1850), *jihād* is an element of *al-amr bi'l-ma'rūf* (*Jawābir*, 21:361.16, speaking of *jami' afrād al-amr bi'l-ma'rūf allatī minhā 'l-jihād*).¹⁸⁰ See above, ch. 13, note 16, and cf. above, ch. 9, note 21.

¹⁸¹ See above, ch. 12, 325. ¹⁸² See above, ch. 14, note 169.

¹⁸³ Šāliḥī, *Kanz*, 62.1. The scholar is not named.

¹⁸⁴ Compare 'Onward Christian soldiers marching *as* to war'.

¹⁸⁵ See above, ch. 10, section 3. ¹⁸⁶ See above, ch. 11, 256.

¹⁸⁷ See above, ch. 4, notes 70, 72.

¹⁸⁸ For views to the effect that individuals may have recourse to violence, see above, ch. 9, notes 13, 21, 39f., 53, 55, 78, 159, 172–4; ch. 10, notes 25, 75, 115f.; ch. 12, notes 9, 118–20, 198, 207 (and cf. 209), 214–16; ch. 13, notes 8, 16, 66f.; ch. 14, notes 258f.; ch. 15, 400, and notes 66, 152–4; ch. 16, notes 88, 91, 202f.

¹⁸⁹ For such ideas, see above, notes 25f. There is occasional mention of the performance of the duty with offensive weapons of a lowlier sort. One example is the use of sandals (see above, ch. 12, note 208; Malaṭī, *Tanbih*, 30.1; Rummānī, *Tafsīr*, f. 62a.11); another would be sticks (see, for example, above, ch. 8, note 160; ch. 12, note 208).

‘our’ tongues,¹⁹⁰ as do the Ḥanbalites and Imāmīs when they free us from any duty to confront an armed man.¹⁹¹

To forbid wrong calls for a number of sterling qualities, such as a certain zeal,¹⁹² and a degree of extrovert confidence – something with which ‘Abd al-Ghanī al-Maqdisī (d. 600/1203) was particularly well endowed.¹⁹³ Performing the duty can also take considerable courage. This courage is of two kinds: the active component is a moral courage which consists in ‘not fearing the reproach of any reproacher’ (Q5:54),¹⁹⁴ while the passive element is a capacity to ‘bear patiently whatever may befall thee’ (Q31:17).¹⁹⁵ It was courage of these kinds that the goldsmith of Marw displayed when he got himself killed by Abū Muslim (d. 137/755), attacking him verbally since he lacked the strength to do so physically.¹⁹⁶ But this is by no means the courage of a knight in shining armour. It is, after all, almost universally accepted that fear or the prospect of harm are good reasons not to proceed with the duty,¹⁹⁷ a point of view that is prudent but hardly chivalrous.¹⁹⁸ Useful though it may prove on occasion, proficiency

¹⁹⁰ See above, ch. 4, note 50.

¹⁹¹ See above, ch. 5, note 124; ch. 6, note 105; ch. 11, note 14; and cf. ch. 4, notes 146, 231.

¹⁹² For the psychosomatic symptoms reported by Sufyān al-Thawrī (d. 161/778) and the elder Rāfi‘ī (d. 580/1184) in connection with the duty, see the references given above, ch. 4, note 130, and ch. 13, note 129.

¹⁹³ See above, ch. 7, 148f. Abū ‘Alī al-Rajrājī, who forbade wrong in Fez in the second half of the eighth/fourteenth century, is a striking exception: shy, solitary and painfully modest (Ibn Qunfudh, *Uns al-faḡīr*, 77.20; cf. above, ch. 14, note 234).

¹⁹⁴ The phrase is often evoked, especially by biographers, in the context of forbidding wrong. See, for example, Dhahabī, *Siyar*, 8:332.4 (‘Abdallāh ibn ‘Abd al-‘Azīz al-‘Umārī (d. 184/800f.), for whom see above, ch. 4, 58f.); *ibid.*, 21:454.6, and Ibn Rajab, *Dhayl*, 2:12.21 (‘Abd al-Ghanī). For other such cases, see the references given above, ch. 6, note 3 nos. (4) (reference to Ibn al-Jawzī) and (9); ch. 8, notes 16 (first reference), 17, 124 (first reference to Āl al-Shaykh), 159f.; ch. 11, note 320 (ninth, eleventh and twelfth references); ch. 12, note 161 (first reference); ch. 13, notes 128 (second reference), 138 (last reference); ch. 14, notes 126 (on Jakanī), 166 (first reference); ch. 15, note 77 (third and fourth references to Shammākhī). See also Ghazzālī, *Ihyā’*, 2:280.31. One does not, of course, evoke the verse when expressing disapproval; thus the Damascene Ḥanafī Ibn al-Tabbākh (d. 1006/1598) is described as bigoted (*shadīd al-ta’aṣṣub*) in his constant hostility to other scholars, which he manifested in the guise of forbidding wrong (Muḥibbī, *Khulāṣa*, 1:22.27; I owe this reference to Baki Tezcan).

¹⁹⁵ See above, ch. 2, notes 72f.; ch. 4, 72; ch. 6, note 161; ch. 7, note 66; ch. 12, notes 39, 44; ch. 16, note 97. ¹⁹⁶ See above, ch. 1, note 2.

¹⁹⁷ See above, ch. 4, notes 231f.; ch. 5, 98f.; ch. 6, notes 105, 141; ch. 9, 202, and note 74; ch. 10, note 17; ch. 11, 276 no. (4), and notes 47, 275, 339; ch. 12, notes 128, 206, 217; ch. 13, notes 41, 92; ch. 14, notes 13, 33, 55; ch. 15, 400, and note 174, and cf. note 85; ch. 16, notes 40, 42, 82, and cf. 434f. (an elaborate discussion of degrees of harm). For views that would seem to reject the danger condition, see above, ch. 4, note 86, and ch. 11, note 25, and cf. note 282.

¹⁹⁸ The French knight Geoffroi de Charny (d. AD 1356), speaking of good knights, writes as follows: ‘No one can and should excuse himself from bearing arms in a just cause, whether for his lord or for his lineage or for himself or for the Holy Church or to defend and

in the martial arts is nowhere near the core of the scholars' conception of forbidding wrong. When 'Abd al-Ghanī grabs the sword with which an irate wrongdoer attacks him in response to his intervention,¹⁹⁹ we pause to admire his prowess and to wonder if, in another life, he might not have been a great warrior. But as it is, his reaction is quite incidental to his identity as a scholar.²⁰⁰ The annals of forbidding wrong are a record of moral, not martial, triumphs.

A final point is that the forbiddener of wrong, unlike any sensible man of the sword, typically confronts wrongdoing alone. It is true that from time to time we hear of the performance of the duty by groups. Usually such groups would seem to be *ad hoc*: someone encounters a wrong and proceeds to gather the neighbours, or otherwise collects a few men to help him confront it.²⁰¹ Sometimes it appears that we have to do with groups that already exist for some other reason, and happen to encounter wrongdoing.²⁰² But there are also cases of what seem to be dedicated groups, in other words groups that exist for the express purpose of righting wrongs.²⁰³ A group that forbade wrong in this way is described by Ibn 'Aqīl (d. 513/1119) from his own lifetime. He says that in the days of the caliph al-Qā'im (r. 422–67/1031–75), one Abū Bakr al-Aqfālī, when he arose to right a wrong (*li-inkār munkar*), would take with him a following of pietists such as would eat only from the work of their own hands, men like a

uphold the faith or out of pity for men and women who cannot defend their own rights (*pour pitié d'hommes et de femmes qui ne peuvent leur droit défendre*). In such cases they should commit themselves eagerly, boldly, and gladly to such deeds of arms and adventures, fearing nothing' (R. W. Kaeuper and E. Kennedy, *The Book of Chivalry of Geoffroi de Charny*, Philadelphia 1996, 176 line 14 = 177). Our scholars are likewise innocent of the erotic undercurrent of chivalrous courage, whereas for Charny it is because love of a lady inspires a knight to great deeds that 'all good men-at-arms are rightly bound to protect and defend the honor of all ladies against all those who would threaten it by word or deed' (*ibid.*, 94 line 17 = 95).¹⁹⁹ See above, ch. 7, note 30.

²⁰⁰ Contrast the case of the eastern Ibādī Muḥammad ibn Ismā'il, whose prowess in grappling with a rapist led to his election to a role of military and political leadership in 906/1506f. (see above, ch. 15, note 246).

²⁰¹ See above, ch. 4, note 204; ch. 5, 97f.; ch. 12, note 36; ch. 13, 344; ch. 15, note 189; ch. 16, 441; and cf. ch. 4, notes 206f., and ch. 14, note 47. Ibrāhīm ibn Ishāq al-Ḥarbī (d. 285/899), a Baghdadī and a pupil of Ibn Ḥanbal, defined the 'stranger' (*gharīb*) in his time as a virtuous man living among virtuous folk who assist him when he forbids wrong (Khaṭīb, *Ta'rikh Baghdād*, 6:36.12; I owe this reference to Nurit Tsafir); the implication, of course, is that this would be quite unusual in the evil time in which he lives. Only Ṣāliḥī (d. 856/1452) states explicitly that it is a duty to assist in this way (*Kanz*, vol. 2, f. 144a.6, invoking the consensus of the scholars; in the printed text the whole of f. 144 has been omitted at 827.20); but only Māwardī denies to individuals the right to find helpers, and he contradicts himself on the point in his different works (see above, ch. 13, note 46, and contrast 344). Cf. also above, note 15.

²⁰² See above, ch. 4, notes 201, 202, and cf. note 203; ch. 15, notes 75f.

²⁰³ See above, ch. 4, notes 97, 208; ch. 6, notes 39, 45, 100, 103; ch. 14, notes 209f.

certain Abū Bakr al-Khabbāz.²⁰⁴ All told, I have encountered perhaps half-a-dozen definite instances of this phenomenon, which is not very many. The sources show no particular tendency to romanticise such activity; Ibn Karrām's disciples are relegated to the role of spectators during his star performance in rebuking the dissolute young men.²⁰⁵

5. THE SCHOLARS AND THE WIDER SOCIETY

If the scholars, in their thinking about how to forbid wrong, had a tendency to be thinking of themselves, does this mean that the value meant nothing to the rest of society? There are two issues worth looking at here. One is the place, if any, of forbidding wrong in the moral codes of social groups other than the scholars.²⁰⁶ The other is the impact of the performance of the duty by scholars on the society around them.

We can best begin by reducing the first question to a more realistic one. There existed in the Islamic world culturally significant intellectual traditions which lay outside, or somewhat outside, the boundaries of religion, and in this sense can be described as profane.²⁰⁷ Two of the most widespread, medicine and astrology, are obviously of no concern to us.²⁰⁸ What does call for our attention is the broad range of profane ethical thought, from abstract philosophical reflection in the Greek tradition to practical counsels in the Persian tradition; within it we can to some extent include the ethical literature associated with what might be called the youth culture (*futuwwa*) of the medieval Islamic brotherhoods.²⁰⁹ The question, then, is whether forbidding wrong appears among the moral values discussed in this body of ethical writing.

My admittedly cursory inspection of this literature suggests that forbidding wrong is no more a topic there than it is in the Šūfī handbooks.²¹⁰ On

²⁰⁴ Ibn al-Jawzī, *Talbīs Iblīs*, 166.20. I have not been able to identify the two persons named, who may have been as plebeian as their *nishas* suggest; doubtless they lived in Baghdad. The passage is translated in Makdisi, *Ibn 'Aqil*, 169. ²⁰⁵ See above, note 166.

²⁰⁶ My attempt to address this issue originated in a question put to me by Abbas Amanat at a conference in 1993.

²⁰⁷ I do not, of course, mean by this that they were free of religious elements, nor that they were anti-religious.

²⁰⁸ As a curiosity, it may be mentioned that references to forbidding wrong can be found in astrological predictions (see Mūsā ibn Nawbakht (*fl.* first half of the fourth/tenth century), *al-Kāmil fī asrār al-nujūm*, ed. and trans. A. Labarta, Madrid 1982, 93.8, 93.11, 94.4, 106.11 = 163f., 177).

²⁰⁹ See *ET*², art. 'Futuwwa' (C. Cahen and F. Taeschner).

²¹⁰ Cf. above, ch. 16, note 234. This observation is based in the first instance on checking the tables of contents (and, where relevant, the indices) of the primary and secondary works cited in a bibliographically helpful review by D. Gutas of a recent publication on Muslim ethics (*Journal of the American Oriental Society*, 117 (1997), 171–5). I have also

one level this might seem surprising. The question what duty one has to prevent or discourage wrongdoing by others is one that, once raised, has an obvious relevance in almost any ethical system, religious or profane. We can hardly suppose that the philosophers took seriously the position maintained by the religious scholars that forbidding wrong is grounded in revelation to the exclusion of reason²¹¹ (with occasional dissentient voices).²¹² Doubtless we are up against the conservatism of intellectual genres, although in the domain of profane ethical writing, genres of diverse origins were by no means sealed off from one another. Whatever the explanation, the fact is that the idea of forbidding wrong scarcely crossed the boundary between religious and profane literature. This negative finding should fortify us against any temptation to imagine that the value had come to permeate everyday life for the non-religious élite, let alone the mass of society.

Before we leave this question, there are a few unusual passages from writings on ethics which are worth examining in some detail, precisely because in one way or another they seem to cross the boundaries between religious and profane traditions.

One of these passages is from the pen of Ibn Sīnā (d. 428/1037), who as a philosopher is a prime example of a writer in a profane tradition. While the passage in question is found in a work intended to present the basic principles of philosophy,²¹³ the chapter in which it occurs sets out the distinguishing characteristics of the gnostic élite (‘*ārifūn*).²¹⁴ What Ibn Sīnā is presenting here is in fact a kind of philosophical Šūfism,²¹⁵ and he did this with such success that the chapter was described by a commentator as the best-ordered account of the Šūfī sciences ever written.²¹⁶ At a certain point in this account, Ibn Sīnā devotes a few lines to the attitude of the ‘gnostic’ (‘*ārif*) to forbidding wrong.²¹⁷ The gnostic, he tells us, does not concern himself with spying and prying (*al-tajassus wa’l-taḥassus*). When he does witness a wrong (*munkar*), his insight into divine predestination

consulted C.-H. de Fouchécour, *Moralia: les notions morales dans la littérature persane du 3e/9e au 7e/13e siècle*, Paris 1986.

²¹¹ See above, ch. 6, note 120; ch. 9, notes 25, 65; ch. 11, 270–2, 287f.; ch. 13, note 75; and cf. ch. 13, note 40, and ch. 15, notes 53, 203.

²¹² See above, ch. 9, notes 25, 37, 64, 122; ch. 11, notes 130f., 241; and cf. ch. 15, note 217, and ch. 16, 428.

²¹³ Ibn Sīnā (d. 428/1037), *al-Ishārāt wa’l-tanbīhāt*, ed. J. Forget, Leiden 1892, 2.5 (promising *uṣūlan wa-jumalan min al-ḥikma*). ²¹⁴ *Ibid.*, 198.14.

²¹⁵ Cf. the section on mysticism in *Encyclopaedia Iranica*, art. ‘Avicenna’, 3:79f. (D. Gutas).

²¹⁶ Ibn Sīnā (d. 428/1037), *al-Ishārāt wa’l-tanbīhāt*, with the commentary of Nāṣir al-Dīn al-Ṭūsī (d. 672/1274), Tehran 1377–9, 3:363.15 (quoting the commentary of Fakhr al-Dīn al-Rāzī).

²¹⁷ Ibn Sīnā, *Ishārāt*, ed. Forget, 205.17, cited in Goldziher, *Livre*, 89. Goldziher gives a partial translation (or rather paraphrase).

(*qadar*) is such that he is moved by compassion rather than anger. When he commands right (*idhā amara bi'l-ma'rūf*), he does so with the civility of someone giving friendly counsel (*bi-rifqi nāṣiḥin*), not with the harshness of a reproacher (*bi-'unfi mu'ayyirin*). But if the right at stake is the supreme mystical attainment (? *idhā jasuma 'l-ma'rūf*), he sometimes conceals it from those who are unworthy of it (*ghāra 'alayhi min ghayr ahlihi*).²¹⁸

This is quite clearly a passage about forbidding wrong as it is understood by the Muslim scholars. Several of its key terms are immediately familiar, and most of the ideas are within the boundaries of mainstream Muslim thinking. What lies outside the mainstream is the élitism that marks the passage. The gnostic acts with civility not because he thinks it will work better, but rather because of his superior insight. Likewise the last allusive sentence is deliberately esoteric. Such ideas are alien to law-centred Islam. It is nevertheless remarkable that Ibn Sīnā should have felt it appropriate at this point to adopt not just the terminology, but also some of the substance, of the Muslim conception of forbidding wrong.²¹⁹

Another passage to be examined here comes from a work on ethics by Ibn Ḥazm, a writer whom we usually encounter as a representative of the religious tradition. In this work, however, he does not narrowly confine himself within this tradition.²²⁰ At no point does he expressly discuss forbidding wrong; but one topic that he does raise from time to time is advice (*naṣiḥa*) and counselling (*wa'z*). Thus he urges that one do this nicely, invoking in support the authority of God and the Prophet.²²¹ The passage that particularly concerns us addresses the question how many times one should give (the same piece of) advice. The answer is twice. The first time it is a religious obligation (*farḍ wa-diyāna*), and the second time it is a warning and reminder (*tanbīh wa-tadhkīr*); whereas a third time it would be a rebuke and reproach, beyond which lies only violence – kicks, blows and worse. But this limitation does not apply in matters of religion (*ma'ānī 'l-diyāna*): here a man must keep repeating the advice, whether he suffers or not in consequence, and whether the recipient likes it or not.²²² The passage is tantalisingly brief. There is no explicit mention of forbidding

²¹⁸ Cf. the commentary of Naṣīr al-Dīn al-Ṭūsī (Ibn Sīnā, *Ishārāt*, with the commentary of Ṭūsī, 3:392.21; I owe this reference to Nizam Ahmad).

²¹⁹ Cf. also the passage by Judah ha-Levi (d. AD 1141) cited below, ch. 19, note 68.

²²⁰ He lists as paragons of intelligence Ḥasan the Baṣrian, Plato the Athenian, and Buzurjmīhr the Persian (Ibn Ḥazm (d. 456/1064), *al-Akhlāq wa'l-siyar*, ed. and trans. N. Tomiche, Beirut 1961, 22 §42), and he describes the contents of the work as arising from his own experience of life (*ibid.*, 12 §2).

²²¹ *Ibid.*, 45f. §152, 60f. §218.

²²² *Ibid.*, 42 §140.

wrong, and yet we are at least very close to it. We learn that advice as such is a religious duty, but that its subject-matter may or may not be a matter of religion, and that different norms apply in either case. Is forbidding wrong then something confined to matters of religion, a special case of a wider ethical value more typically concerned with profane matters? It would be asking too much of the passage to seek a clear-cut answer from it.

The third passage is less interesting. Ibn al-Mi'mār (d. 642/1244) was a Baghdādī Ḥanbalite writer on what I have called youth culture (*futuwwa*). At one point he gives a list of two hundred qualities which the young man (*fatā*) is to cultivate or avoid. Among the positive qualities, he includes forbidding wrong; but he has little to say about it.²²³ The company it keeps in the list suggests superficial borrowing from the religious tradition.²²⁴

As indicated, all three authors can loosely be thought of as crossing the borders between religious and profane thought. But none of them helps us to address the question why the duty to prevent wrongdoing by others should be so well developed on one side of the fence, and yet virtually unknown on the other.

Just as we find little adoption of forbidding wrong in the literature of profane ethics, so also we find surprisingly little in the way of principled criticism of it outside the religious tradition. Even the strongest attacks on the practice of forbidding wrong will be found to appeal to Islamic values, or at least conform to them. Consider the encounter between the caliph al-Ma'mūn and the shrouded zealot.²²⁵ This is an unusual story in that it invites us to identify squarely with the caliph;²²⁶ in that sense we can see it as a fine articulation of the 'thèse caliphale'.²²⁷ The story can also be relied

²²³ For the list, see Ibn al-Mi'mār (d. 642/1244), *Futuwwa*, ed. M. Jawād *et al.*, Baghdad 1958, 256–61, translated in F. Taeschner, *Zünfte und Bruderschaften im Islam: Texte zur Geschichte der Futuwwa*, Zurich and Munich 1979, 165–8. For the mention of forbidding wrong, see Ibn al-Mi'mār, *Futuwwa*, 257.2.

²²⁴ Compare the inclusion of *al-amr bi'l-ma'rūf* among some verbal formulae employed in a colourful *futuwwa* ritual described in a responsum of Taqī al-Dīn al-Subkī (d. 756/1355) (*Fatāwā*, Cairo 1355–6, 2:548.24; I owe this reference to Megan Reid). Subkī condemns the ritual as incontrovertible *bid'a*, but has no objection to the reference to *al-amr bi'l-ma'rūf* (*ibid.*, 549.17, 550.6). ²²⁵ See above, ch. 1, 10f.

²²⁶ There is another story in which the caliph is likewise confronted by a shrouded figure who is there to speak out and get himself killed (Ghazzālī, *Ihyā'*, 2:325.11, cited in Amedroz, 'Hisba jurisdiction', 294; Ibn al-Nahhās, *Tanbih*, 70.6). But here the point of view is quite different: al-Ma'mūn kills his antagonist, who promptly appears in Paradise.

²²⁷ It is hardly coincidental that the author to whom we owe the story, Zubayr ibn Bakkār (d. 256/870), is remembered as the exceedingly well-paid tutor of the caliph's son (Khaṭīb, *Ta'rikh Baghdād*, 8:469.7). As the title *Muwaffaḡiyyāt* given to his work indicates, it was believed to have been written for al-Muwaffaq (d. 278/891) (see, for example, Ibn al-Nadīm, *Fihrist*, 161.10, where for *al-lughā* read *allafahu*). If this is correct, then the youthful prince was being instructed in the ways of his great-uncle.

on to warm the heart of any secularist.²²⁸ The caliph is clear-headed, sober and responsible; the zealot is fanatical, pretentious and stupid. But the caliph's position is in no way that of a secularist. It is not just that he derives considerable moral advantage from the placement of the story in the context of holy war against the infidel. More than that, he mounts no argument that has its point of departure outside the religious tradition of Islam. The same is true of the sharp observation of Kātib Chelebi (d. 1067/1657) that it is sheer stupidity to attempt to uproot well-established innovations in the name of forbidding wrong.²²⁹ Here too there is a tone with which a secularist could readily identify; but what Kātib Chelebi actually says can be understood as no more than an application of the efficacy condition.²³⁰ A third example is 'Abd al-Ghanī al-Nābulusī's attack on the meddlesome puritans of his day.²³¹ His argument is idiosyncratic, and perhaps unsustainable; but it invokes nothing outside the religious tradition of Islam.

What makes it possible to attempt these comparisons between the religious and profane ethical traditions of the cultural élites is the fact that each side has left a direct literary record. This is not the case with the common people. We do nevertheless have some indications of their reactions to unwanted forbidders of wrong. For most of this we are indebted as usual to the scholars, who never tired of pointing out that forbidding wrong was an activity likely to provoke negative responses. By far the most insistent of these responses can be rendered as: 'Mind your own business! This has nothing to do with you!' The scholars did not, of course, approve of this response, and did not portray it sympathetically. Ibn Mas'ūd says that it is one of the worst of sins when someone is told to fear God, and responds: 'Look to yourself!' (*'alayka bi-nafsika*).²³² 'Umar ibn 'Abd al-'Azīz (d. 101/720) complains of people who propose to cultivate their own gardens (*innā lanā fī anfusinā shughlan wa-lasnā min al-nās fī shay'*).²³³ The devil tells a zealot who purposes to take his axe and cut down a sacred tree: 'What's it got to do with you?' (*mā laka wa-lahā*).²³⁴ Abū 'l-Ḥusayn al-Nūrī (d. 295/907f.), pressing his inquiries regarding the thirty amphorae containing the caliph's wine, is described by the boatman in charge of them as a 'meddlesome Ṣūfī' (*ṣūfī fuḍūlī*).²³⁵ Ibn Ḥanbal predicts that a time will come when the believer who sees occasion to forbid wrong will be declared

²²⁸ As it obviously did in Jad'ān's case (cf. above, ch. 1, note 31).

²²⁹ See above, ch. 12, note 172.

²³⁰ Cf. his sustained appeal to the scholastic conditions of obligation in his effort to discourage forbidding wrong in general (see above, ch. 12, notes 168–70, and ch. 13, notes 80f.). ²³¹ See above, ch. 12, 326–8.

²³² 'Alī al-Qārī, *Mubīn*, 193.16; cf. also Imāmzāda, *Shir'at al-Islām*, apud Ya'qūb ibn Seyyid 'Alī, *Sharḥ*, 506.19. ²³³ Ibn 'Abd al-Ḥakam, *Sīrat 'Umar ibn 'Abd al-'Azīz*, 163.2.

²³⁴ Abū 'l-Layth al-Samarqandī, *Tanbīh*, 101.11. ²³⁵ See above, ch. 16, note 245.

a busybody (*hādhā fuḍūlī*).²³⁶ In this day and age, laments Ibn al-Nahḥās (d. 814/1411), one who performs the duty is reviled for his meddlesomeness (*qīla mā akthara fuḍūlahu*), while one who fawns on people is praised for his ability to get along with them.²³⁷ We also hear about this reaction in a less rhetorical and more juristic vein when the Ḥanafī scholars list irreligious statements the utterance of which may constitute unbelief. One man says to another: ‘Go to the home of so-and-so and command him right!’; the other replies: ‘What wrong has he done to me (*dar haqq-i man chih jafā karda*) that I should command him right?’²³⁸ Or he may reply ‘What has he done to me?’, or ‘How has he bothered me (*marā az ū chih āzār ast?*)’, or ‘What have I to do with such meddlesomeness (*fuḍūlī*)?’²³⁹ Or he may say to someone who is commanding right: ‘What a commotion we have here! (*chih ghawghā āmad!*)’.²⁴⁰ Nor are we exclusively dependent on the scholars to articulate this counter-cultural value for us. The poets express it directly. Ḥāfiẓ (d. 791/1389) says that it is nothing to do with you whether he is good or bad; in the end each of us will reap what he himself has sowed.²⁴¹ He tells the ascetic not to find fault with the profligate; the sins of others will not be debited to his account.²⁴² He asks the preacher (*wā‘iz*) what all the fuss is about, and tells him to go about his own business (*kār-i khwud*).²⁴³ The poems of Ḥāfiẓ are not, of course, folk-poetry, but they had wide resonance in the traditional culture of Iran.

In itself, however, minding one’s own business is perfectly Islamic. As the Prophet says, one of the things that makes a good Muslim is that he stays clear of what does not concern him (*tarkuhu mā lā ya‘nīhi*).²⁴⁴ Nūrī,

²³⁶ Ṣāliḥī, *Kanz*, 308.23 (reading *fuḍūlī* with ms. Fatih 1,136, f. 106b.17). God’s business will be seen as meddlesomeness (*fuḍūl*). ²³⁷ Ibn al-Nahḥās, *Tanbih*, 17.2.

²³⁸ Qāḍī Khān (d. 592/1196), *Fatāwā*, Cairo 1282, 3:603.21. The scholars hold the reply to be unbelief.

²³⁹ ‘Ālim ibn al-‘Alā’ al-Ḥanafī (compiling in 777/1375f.), *al-Fatāwā al-Tātārkhāniyya*, ed. S. Husayn, Karachi 1990–, 5:503.4. All these and other replies are unbelief.

²⁴⁰ *Ibid.*, 503.3. If he means this in a derogatory sense, it is to be feared that he has fallen into unbelief. The material cited in the the last three notes can also be found with the offending utterances in Arabic (see, for example, Badr al-Rashīd (d. 768/1366?), *Alfāz al-kufr*, published under the title *Tahdhīb risālat al-Badr al-Rashīd fī alfāz al-kufr*, Beirut 1991, 48.15). I do not know the source of the death date given for this author.

²⁴¹ Ḥāfiẓ, *Dīwān*, 77.2. Note that Ḥāfiẓ takes a purely individualist view of the consequences of sin which the scholars would firmly reject. ²⁴² *Ibid.*, 77.1.

²⁴³ *Ibid.*, 35.1. Ḥāfiẓ also makes frequent reference to the hypocrisy of the representatives of formal religion, as when he describes the prayer-leader of the city being carried home in a drunken stupor with his prayer-mat on his back (*ibid.*, 285.5), and asks why those who enjoin repentance do it so little themselves (*ibid.*, 199.2).

²⁴⁴ Mālik, *Muwatta’*, 903 no. 3 (and cf. *ibid.*, 990 no. 17); Sulamī (d. 412/1021), ‘*Uyūb al-naḥṣ wa-mudāwātubā*’, edited with his *Jawāmi‘ adāb al-Ṣūfiyya* by E. Kohlberg, Jerusalem 1976, 85 §25, and the numerous references to further sources given by the editor. For a collection of sayings to the same effect, see Khattābī, ‘*Uzla*’, 134–6; one of these equates *mā lā ya‘nīka* with *faḍl* (*ibid.*, 134.11; cf. the term *fuḍūlī*). The many virtues of Ibn al-Mubārak (d. 181/797) included *tark al-kalām fī mā lā ya‘nīhi* (Mizzī, *Tahdhīb*, 16:18.7).

it will be remembered, was a man given to minding his own business (*qalīl al-fuḍūl, lā yas'al 'ammā lā ya'nīhi*),²⁴⁵ for all that the boatman regarded him as a meddlesome Ṣūfī (as events were to prove, with some reason). God tells the believers to 'look after your own souls', since those who are astray cannot harm them – provided, of course, they are 'rightly guided' (Q5:105).²⁴⁶ The issue, in other words, is not whether one should mind one's own business, but rather just what the limits of one's business should be. Clearly those who invoked this value against unwanted commanding and forbidding had their own ideas as to these limits. What our sources scarcely tell us is what these ideas were.²⁴⁷ Had they been more generous in this respect, we might perhaps have been better placed to discern values alien to those of the scholars to whom we owe our sources.

That forbidding wrong was primarily a matter for the scholars does not mean that it was socially irrelevant. For all that it bulks disproportionately large in the record it has left behind it, the religious élite of Islamic societies was a significant one. Sometimes, perhaps often, the more zealous forbidders of wrong were at loggerheads with their societies, as in the case of Ibn 'Ubayd and his withdrawal from Toledo.²⁴⁸ But in other cases the sources mention the support they enjoyed – we might even speak of their constituencies. The Ḥanbalite Barbahārī (d. 329/941) is a case in point.²⁴⁹ Another Ḥanbalite, Ibn 'Abdūs of Ḥarrān (d. before 600/1204), got away with pouring out the ruler's wine because of his standing with the common people of the city.²⁵⁰ Abū 'Alī al-Rajrājī enjoyed wide support for his activity in Fez in the second half of the eighth/fourteenth century.²⁵¹ Ibn Baṭṭūṭa (d. 770/1368f.) describes an ascetic preacher in Harāt with whom the townspeople had entered into agreement to right wrongs (*taghyīr al-munkar*); they would put right any wrong, even if it took place at the court

²⁴⁵ See above, ch. 16, note 257.

²⁴⁶ For this verse and the problem to which it gave rise, see above, ch. 2, 30f., and ch. 3, 35.

²⁴⁷ For one exception, see below, ch. 20, note 20. There were doubtless many in traditional Islamic societies who felt that a pietist telling others to pray was a busybody, whereas someone who protected women and the weak against harassment and oppression was a hero (cf. W. M. Floor, 'The political role of the Luti in Iran', in M. E. Bonine and N. R. Keddie (eds.), *Modern Iran*, Albany 1981, 88, 94; I am indebted to Houchang Chehabi and Margaret Larkin for bibliographical leads in this connection). But the people can also be found on the side of the pietists. In the incident recounted by Ibn Qāḍī Shuhba (see above, note 15), the authorities paraded a group of pietists in chains, proclaiming 'This is how people are punished who interfere in what is none of their business' (*hādhdhā jazā' man yata'arraḍ li-mā lā ya'nīhi, Tā'rīkh*, 3:116.4); this provoked strong popular disapproval.

²⁴⁸ See above, ch. 14, note 192. For other examples, see above, ch. 4, notes 186, 205f.

²⁴⁹ See above, ch. 6, 116–18. ²⁵⁰ See above, ch. 7, note 33.

²⁵¹ See above, ch. 14, note 234.

of the ruler.²⁵² He adds a story in which six thousand of them saw to it that the prescribed punishment for drinking was inflicted on the ruler in his palace.²⁵³

Some of this may have articulated no more than a populist resentment against the luxurious living of those who could better afford it. But there must also have been instances where forbidding wrong meshed with the society's interests and grievances. This is likely enough to have been the case when Khubūshānī (d. 587/1191) knocked off the headgear of Saladin (r. 564–89/1169–93) while protesting against illegal taxes.²⁵⁴ A clear-cut example is the incident of 714/1314 when Nūr al-Dīn al-Bakrī (d. 724/1324) confronted the Mamlūk sultan over the Coptic question.²⁵⁵ The expectation that scholars would forbid wrong in such a fashion lies behind the frustration engendered on one occasion by Abū 'l-Abbās al-Sarrāj (d. 313/925): instead of furthering the material interests of his city, he rebuked the ruler on a point of ritual which was of no interest to anyone.²⁵⁶ But representation of the interests of society against its rulers seems to have been only a small part of forbidding wrong.²⁵⁷

Why there was no neat fit between such representation and forbidding wrong can be illustrated from a passage in one of the epistles of Badī' al-Zamān al-Hamadhānī (d. 398/1008). He is urging prudence on a notable who is thinking of protesting at the fiscal exactions of Maḥmūd of Ghazna (r. 388–421/998–1030). 'Do you wish', he asks, 'to share with Ḥamza in his martyrdom and be his partner in lordship, though you feel the pain of blows, hate fetters and loathe chains, and fear disgrace, and you mix in society and are pleased when people's hopes are fixed on you?'²⁵⁸ There is no way the notable can win: 'One who orders what is good, if he aims at wide influence or abundant wealth or far-flung fame and is killed short of his plan, has achieved nothing and his hopes are deceived. If he seeks the next world and mixes with it some of what I have listed and a touch of what I have mentioned, he will be written down among the

²⁵² Ibn Baṭṭūṭa, *Riḥla*, 3:69.5, cited in Goldziher, *Livre*, 94.

²⁵³ Ibn Baṭṭūṭa, *Riḥla*, 3:70.1. ²⁵⁴ See above, ch. 13, note 133.

²⁵⁵ See above, ch. 13, note 140. ²⁵⁶ See above, ch. 13, note 70.

²⁵⁷ It is striking that there are no instances of it in the recorded activity of the early forbidders of wrong whom I classified as notables (see above, ch. 4, 56–8).

²⁵⁸ Badī' al-Zamān al-Hamadhānī (d. 398/1008), *Rasā'il*, apud Ibrāhīm Afandī al-Aḥḍab al-Tarābulusī, *Kashf al-ma'ānī wa'l-bayān 'an Rasā'il Badī' al-Zamān*, Beirut 1890, 488.2, translated in D. S. Richards, 'The *Rasā'il* of Badī' al-Zamān al-Hamadhānī', in A. Jones (ed.), *Arabic Felix*, Reading 1991, 154 (I owe this reference to Patricia Crone). Ḥamza is Ḥamza ibn 'Abd al-Muṭṭalib (d. 3/625), the 'lord of the martyrs' (cf. above, ch. 1, note 20). On prospective loss of social standing as a reason for not forbidding wrong, compare Ghazzālī's discussion (see above, ch. 16, notes 54f.).

polytheists.²⁵⁹ Notables are precisely the people with the most to lose in abrasive interactions with rulers, and local interests can usually be furthered, if at all, by less confrontational means.

All in all, it is hard to resist a sense that, in their thinking about forbidding wrong, the scholars were wrestling with something that was in a way too big for them. Left to themselves, scholars will always invent reasons why other people should listen to them; but the Muslim conception of forbidding wrong goes far beyond this. The disparity between the content of the duty and the normal lifestyle of scholars is particularly noticeable in the early centuries with respect to violence. It generates a rich vein of early comedy: we have only to think of Ḥasan ibn Šāliḥ ibn Ḥayy (d. 167/783f.) seeking in vain for someone to crucify him,²⁶⁰ or Ibn Farrūkh (d. 175/791) abandoning his attempted rebellion when only two men showed up to join him.²⁶¹ For most of Islamic history, it may be apt to describe forbidding wrong as an apanage of the scholars.²⁶² But there is enough of a mismatch to give us cause to wonder how it was that they came into such an apanage – and whether they could hope to retain it under modern conditions.

²⁵⁹ Badī' al-Zamān, *Rasā'il*, 489.5, as translated by Richards.

²⁶⁰ See above, ch. 4, note 33.

²⁶¹ See above, ch. 14, note 221.

²⁶² See above, note 150.

PART V



BEYOND CLASSICAL ISLAM

CHAPTER 18

MODERN ISLAMIC DEVELOPMENTS

1. INTRODUCTION

When treating the pre-modern period of Islamic thought in the preceding chapters, it made sense to organise the bulk of the material in terms of sects and schools. One of many respects in which the Western impact has profoundly changed the Islamic world is that these affiliations have tended to lose their former salience. The significant divisions within Islamic thought are no longer those between Ḥanafīs and Shāfi‘ites, or Ash‘arites and traditionalists. Even the lines of division between Sunnīs, Zaydīs and Ibādīs no longer support much in the way of intellectual superstructure, whatever role they may play in the communal politics of the relevant parts of the Islamic world. Of the main sects and schools in terms of which the bulk of this book has been organised, only the Imāmī Shī‘ites remain strongly differentiated from the broad spectrum of modern Islam.

This remaining division is, however, very real. It is not simply that the heritages of the Sunnīs and Imāmīs are in some ways very different in content and character. The contrast that will occupy us in this chapter relates rather to the dissimilar fates of the two scholastic traditions. That of the Sunnīs has become precisely a heritage (*turāth*): rather like a revered monument, it is cherished by people who no longer really inhabit it. The Imāmī scholastic tradition, by contrast, can still be described as a living one, owing its continuity and adaptation to scholars who operate within it. It may be that the difference is in some ways more apparent than real, and that in the long run it will disappear. But to date it remains a striking one. Accordingly this chapter is divided into two major sections. The first deals with the mainstream, overwhelmingly Sunnī, forms of modern Islamic thought, and the second with Imāmī Shī‘ism. I shall return to the comparison between the two evolutions in the concluding section.

The chapter is subject to several limitations. First, in analysing recent Muslim discussions of forbidding wrong, I have deliberately concentrated

on changes which have taken place in response to contemporary conditions of life and thought. Much space in the modern literature is devoted to repeating what was said by the medieval scholars; while this process is an essential part of the background to the developments described in this chapter, it would not be illuminating to investigate it in any detail. Secondly, I have not even tried to achieve a comprehensive coverage of the literature. The documentation for earlier centuries has been reduced to almost manageable proportions by the ravages of time; while much of value has doubtless been lost, it is surely also the case that a great deal of chaff has been winnowed out. This is emphatically not true of contemporary literature, for all that it is conventional for writers on forbidding wrong to lament that their topic is a neglected one.¹ I have made it my business to examine all modern discussions of the subject that have come my way, and in particular I have consulted all monographs on the duty that were available to me, if only in the manner of Ibn Sīnā (d. 428/1037).² But I have not, for example, made any attempt to cover systematically the large amount of relevant material that can be found scattered in Muslim journals and newspapers. Finally, the fact that we are dealing with the contemporary world opens up the possibility of escaping the confines of the literary record by recourse to field-work. I am all in favour of this; but I have not attempted it myself.

2. DEVELOPMENTS IN SUNNĪ ISLAM

For a long time the Western penetration of the Muslim world had little visible impact on the aspect of Islamic thought that concerns us. On the one hand, the religious scholars continued to write about forbidding wrong in the traditional way. This is true, for example, of the handling of Q3:104 in the Koran commentaries of Shawkānī (d. 1250/1834),³ Maḥmūd al-Ālūsī (d. 1270/1854),⁴ and Šiddīq Ḥasan Khān al-Qannawjī

¹ For a Sunnī example of this topos, so familiar in our own academic culture, see ‘Abd al-‘Azīz ibn Aḥmad al-Mas‘ūd, *al-Amr bi’l-ma‘rūf wa’l-nahy ‘an al-munkar wa-āthāruhuma fī ḥifẓ al-umma*, vol. 1, Riyāḍ 1414, 7.19; this author proceeds to make good by offering us a first volume of 571 pages (for a survey of what is yet to come, see *ibid.*, 26–32). For a Shī‘ite example, see Sayyid Maḥmūd Madanī Bajistānī, *Amr bah ma‘rūf wa nahy az munkar: do fariḍa-i bartar dar sira-i ma‘šūmīn*, Qumm 1376 sh., 10.19.

² For Ibn Sīnā’s reading habits, see R. Mottahedeh, *The mantle of the Prophet*, New York 1985, 88f. I am also aware of the existence of some dozen monographs on the duty to which I have not had access.

³ Shawkānī (d. 1250/1834), *Fath al-qadīr*, Cairo 1964, 1:369.15. In this context we can treat Shawkānī as in effect a Sunnī.

⁴ Maḥmūd al-Ālūsī (d. 1270/1854), *Rūḥ al-ma‘ānī*, Cairo 1301–10, 1:643.9. An unusual feature in a Sunnī work is the reference to ‘Shaykh Abū Ja‘far [al-Ṭūsī] among the

(d. 1307/1890).⁵ And on the other hand, few Muslims of this period whose thought was strongly influenced by the West seem to have shown much interest in forbidding wrong.⁶

Even when Western influence begins to affect the discussion of the duty, much remains essentially familiar. A good example of this is the salience of Ghazzālī (d. 505/1111). This, of course, is nothing new,⁷ but my impression is that it becomes even more pronounced in modern times. Thus Qāsimī quotes Ghazzālī in his commentary to Q3:104,⁸ as does Muḥammad ‘Abduh (d. 1323/1905).⁹ Ḥaydarīzāde, as we have seen, based his Turkish account of the duty, written towards the end of the First World War, on that of Ghazzālī.¹⁰ When ‘Abd al-Qādir ‘Awda (d. 1374/1954) wrote his treatise on Islamic criminal law some three decades later, he too drew most of the structure of his analysis of forbidding wrong from Ghazzālī.¹¹ More recent writers have followed suit.¹² Thus the Indian scholar Jalāl al-Dīn

Imāmiyya’ as holding the view that *al-amr bi’l-ma’rūf* is an individual obligation (*ibid.*, 643.25; cf. above, ch. 11, note 156). This information doubtless derives from Ṭabrisī, *Majma’*, 1:484.3; for the use Ālūsī made of Ṭabrisī’s commentary, see M. ‘Abd al-Ḥamīd, *al-Ālūsī mufasssiran*, Baghdad 1968, 205f.

⁵ Şiddīq Hasan Khān al-Qannawī (d. 1307/1890), *Faṭḥ al-bayān*, ed. ‘A. I. al-Anṣārī, Sidon and Beirut 1992, 2:304.4. The same is still true of Jamāl al-Dīn al-Qāsimī (d. 1332/1914) (*Maḥāsīn al-ta’wīl*, ed. M. F. ‘Abd al-Bāqī, Beirut 1994, 2:107.10).

⁶ For two exceptions, see below, note 37. ⁷ See above, ch. 16, 450–5.

⁸ Qāsimī, *Maḥāsīn*, 2:108.7, 108.18 (the latter a quotation of Ghazzālī’s opening statement on *al-amr bi’l-ma’rūf*, a favourite with later generations). Qāsimī also wrote an epitome of the *Ihyā’*, in which he naturally summarised Ghazzālī’s doctrine of *al-amr bi’l-ma’rūf* (*Maw‘izat al-mu’minīn min Ihyā’ ‘ulūm al-dīn*, ed. ‘A. B. al-Bayṭār, Beirut 1981, 243–50).

⁹ Rashīd Riḍā (d. 1354/1935), *Tafsīr al-Manār*, based on lectures of Muḥammad ‘Abduh, Cairo 1367–75, 4:30.13 (quoting ‘Abduh), and cf. 30.24, 31.4, 33.17; the set of this work that I used mixes volumes of various printings. For a discussion of the commentary on Q3:104 in the *Tafsīr al-Manār*, see Roest Crollius, ‘Mission and morality’, 275–82. Another author of this period who makes marked use of Ghazzālī in a brief account of *al-amr bi’l-ma’rūf* is Zammār (writing 1329/1911) (*al-Ḥukm wa’l-intizām*, Aleppo n.d., 26.6, 26.16, 29.8; he also quotes Ghazzālī’s opening statement on *al-amr bi’l-ma’rūf*, *ibid.*, 5.4).

¹⁰ See above, ch. 12, 330–3, where the dependence of Osman Nuri on Ḥaydarīzāde is also noted. A later Turkish academic writer likewise cites Ḥaydarīzāde for the ‘fundamental bases’ (*temel esaslar*, sc. *arkān*) of the duty (E. Eşrefoğlu, ‘İslāmîyetde ihtisābın prensipleri’, *Tarih Dergisi*, 25 (1971), 99).

¹¹ ‘Abd al-Qādir ‘Awda (d. 1374/1954), *al-Tashrī‘ al-jinā‘ī al-Islāmī*, Cairo n.d., 1:489–513 §§340–50. The dependence is particularly clear – and acknowledged – at *ibid.*, 495–510 §§343–6. I owe this and several other references in this chapter to the kindness of Tufan Buzpinar of the İslām Araştırmaları Merkezi, Üsküdar, who made available to me the relevant files of the Centre.

¹² In addition to the examples given in the text, see Nash‘at al-Miṣrī, *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar min Tafsīr Ibn Kathīr wa-shurūḥ Abī Ḥamid al-Ghazzālī*, Cairo n.d., the title of which is self-explanatory (I am indebted to Maribel Fierro for sending me a copy of this work); Muḥammad Aḥmad al-Rāshid, *al-Munṭalaq*, Beirut 1976, 90.3, 151–4; Fārūq ‘Abd al-Majīd Ḥamūd al-Sāmarrā‘ī, *Manābij al-‘ulamā’ fī ‘l-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, Jedda 1407, 9.2 (quoting Ghazzālī’s opening statement), 54.14, 57.7,

‘Amrī makes extensive use of Ghazzālī’s account in a short but learned work devoted to the duty,¹³ and the Syrian fundamentalist Sa‘īd Ḥawwā (d. 1409/1989) likewise draws on it heavily.¹⁴ Another Syrian, Aḥmad ‘Izz al-Dīn al-Bayānūnī, lifts most of the structure of his little book on forbidding wrong from Ghazzālī’s account.¹⁵ The well-known Algerian fundamentalist preacher ‘Alī ibn Ḥājj (Ali Belhadj) makes considerable use of Ghazzālī in a series of mosque talks on forbidding wrong; when a questioner asks for guidance on reading, he is strongly recommended to consult Ghazzālī.¹⁶ Ghazzālī’s account is equally the single most important source behind the structure of the exposition of forbidding wrong given by Khālīd ibn ‘Uthmān al-Sabt, a Sa‘ūdī writer in the Wahhābī tradition.¹⁷ Thus he

Footnote 12 (*cont.*)

58.9, 188.8; ‘Abd al-Karīm Zaydān, *al-Mufaṣṣal fī ahkām al-mar’a wa’l-bayt al-Muslim*, Beirut 1993, 4:354 §3,551 (quoting Ghazzālī’s opening statement); 359–63 §§3,561–8; 364 §3,571 (I owe my knowledge of this work to Asma Sayeed); ‘Abd al-‘Azīm Ibrāhīm al-Maṭ’anī, *Taghyyir al-munkar fī madhhab ahl al-sunna wa’l-jamā’a*, Cairo 1990, 76.19 (making tacit use of a schema of Ghazzālī), 77.16 (quoting him in the same connection), 109.10 (introducing a series of quotations on the question of the ruler’s permission) (I owe my knowledge of the existence of this work to the files of the Islām Araştırmaları Merkezi, and my copy to Margaret Larkin); Muḥammad Nu‘aym Yāsīn, *al-Jihād: mayādīnuhu wa-asālibuhu*, Amman 1978, 193–6 (adopting a schema of Ghazzālī).

¹³ Jalāl al-Dīn al-‘Amrī, *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, translated from the Urdu by M. A. A. al-İslāhī, Kuwait 1984 (I am much indebted to Nurit Tsafrir for procuring me a copy of this work); note particularly his use of Ghazzālī’s framework of conditions (*ibid.*, 231–48, cf. above, ch. 16, 429–33) and levels (*ibid.*, 291–3, cf. above, ch. 16, 438–41). The author, a member of the Jamā‘at-i Islāmī in India, was born around 1356/1937, and the preface is dated 1966; an English translation was also published in Kuwait in 1984, with the author’s name given as ‘Maulana Jalaluddin Ansar Umri’ in the translator’s note (xii). All references below are to the Arabic translation.

¹⁴ Sa‘īd Ḥawwā (d. 1409/1989), *Jund Allāh: thaqāfatan wa-akhlāqan*, n.p. n.d., 367.11–368.13, 384.4–386.8. It is striking that such an author should owe more in this regard to Ghazzālī than to Ibn Taymiyya (d. 728/1328), for all that the latter is the favourite authority of the fundamentalists and the author of a work on *al-amr bi’l-ma’rūf* (for which see above, ch. 7, 151f.).

¹⁵ Aḥmad ‘Izz al-Dīn al-Bayānūnī, *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, Aleppo 1973. Note, for example, the presentation of the conditions (*ibid.*, 35–48) and levels (here termed *marātib*) (*ibid.*, 48–51). Explicit quotations from Ghazzālī appear towards the end of the work (*ibid.*, 182.4, 183.2, 186.5). The book is clearly aimed at a wide audience.

¹⁶ ‘Alī ibn Ḥājj, *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, a set of seven cassettes distributed by the Librarie Islamique el-Badr, Paris, 7:1 (i.e. cassette 7, side 1). I am indebted to Emmanuel Sivan for lending me the first of the set in November 1992; I purchased cassettes 3, 4, 6 and 7 in Paris in March 1993, but have not had access to cassettes 2 and 5. They represent a series of talks (*durūs*) given in mosques (*ibid.*, 3:1, 7:1); there is no indication of the date at which they were given. The other reading suggestions offered by Ibn Ḥājj are the Ḥanbalites Ibn Taymiyya and Khallāl (d. 311/923), and a work by a certain Dr Fāris Barakāt. It is clear from cassettes 3:2 and 6:1 that Ibn Ḥājj adopts Ghazzālī’s levels (*darajāt*), but his main discussion of them unfortunately falls in cassette 5. For further examples of his debt to Ghazzālī, see below, notes 168, 181. For a brief account of Ibn Ḥājj’s career, see S. Labat, ‘Islamism and Islamists: the emergence of new types of politico-religious militants’, in J. Ruedy (ed.), *Islamism and secularism in North Africa*, New York 1994, 112. In Arabic his name is written indifferently as ‘Ibn Ḥājj’ or ‘Balḥājj’.

¹⁷ For this author see above, ch. 8, note 148.

adopts Ghazzālī's distinctive terminology,¹⁸ and goes on to organise his account in terms of Ghazzālī's four components.¹⁹ The popularity of Ghazzālī with modern authors is no surprise: the appeal of his systematic yet practical approach had always been one that crossed the boundaries of sects and schools. In this and other ways, we are still in a conceptual landscape that is eminently recognisable.

Yet at the same time, these writings contain numerous reminders, sometimes subtle and sometimes jarring, that the old concepts are being deployed in a new setting. At the very least, the influence of the West gave new vitality to the traditional repertoire of wrongdoing. For example, we are told that at a time of military misfortune the khedive Ismā'īl (r. 1280–96/1863–79) was reproved by an unnamed scholar at the Azhar, the reproof consisting of a well-known Prophetic tradition on forbidding wrong.²⁰ Later, in private, the scholar elaborated: how could the khedive expect succour from heaven when the Mixed Courts operated under a law which allowed usury, when fornication was permitted, and the drinking of wine legal? The khedive's response was: 'What can we do now that foreigners live side by side with us, and this is their civilisation?'²¹ Or as the Lebanese Shaykh Fayṣal Mawlawī put it in 1404/1984 to an audience of Muslims living in France, 'European countries are nothing but wrongs'.²² (To the traditional wrongs he adds the cinema.²³) Others are concerned with the duty of journalists to forbid wrong with the tongue,²⁴ the status of cafés where there is no backgammon, card-playing or liquor,²⁵ and the

¹⁸ Sabt, *Amr*, 147.12.

¹⁹ *Ibid.*, 148–367; see the table of contents. Ghazzālī is mentioned quite often in the work (see, for example, *ibid.*, 110.14, 147.1, 316.2), but the degree of dependence is partly obscured by the frequency with which Sabt acknowledges intermediate sources for material which they in turn derive from Ghazzālī. Thus he gives references for such material to Ibn al-Ukhuwwa (*ibid.*, 258.16, a story about a man and his cat which Ibn al-Ukhuwwa has from Ghazzālī, *Ihyā'*, 2:306.4), Ibn al-Nahḥās (Sabt, *Amr*, 275 n. 1, a point that Ibn al-Nahḥās has from the *Ihyā'*, see above, ch. 16, note 35) and Ṭāshkōprizāde (Sabt, *Amr*, 357.10, a purple passage from the *Ihyā'* for which see above, ch. 16, note 124). On occasion he criticises Ghazzālī (Sabt, *Amr*, 316.6). Ghazzālī's account is also behind numerous points of detail, such as the terms *al-'ajz al-ḥisī* (*ibid.*, 105.1, see above, ch. 16, note 38) and *taqīl al-'alā'i* (*ibid.*, 258.8, see Ghazzālī, *Ihyā'*, 2:306.4, and cf. above, ch. 16, note 97).

²⁰ Muḥammad Sulaymān, *Min akhlāq al-'ulamā'*, Cairo 1353, 100–2 no. 218, with the tradition at 101.7 (quoted in Sāmarrā'i, *Manābij*, 138–40). The *isnād* prefixed to the story, while imposing, is not reassuring as to its historicity. The tradition is that discussed above, ch. 3, 36f. ²¹ Sulaymān, *Min akhlāq al-'ulamā'*, 102.2.

²² Shaykh Fayṣal Mawlawī, *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, cassette distributed by the Union des Organisations Islamiques en France, Section d'Information, side 2 (*bilād Ṭuruppā kullhā munkarāt*); I am grateful to Emmanuel Sivan for lending me the cassette. This cassette seems to be the same as that described in G. Kepel, *Les banlieues de l'Islam*, Paris 1987, 259–62, whence I take the dating; for Mawlawī himself, see *ibid.*, 258. I am indebted to Bernard Lewis for bringing Kepel's study to my attention. ²³ *Ibid.*, 262.

²⁴ 'Alī al-Ṭanṭāwī, *Fuṣūl Islāmiyya*, Damascus 1960, 176.4 (this work was brought to my attention by Yitzhak Nakash). ²⁵ *Ibid.*, 177.2.

ethics of car-parking – this latter an extension of Ghazzālī's discussion of the tethering of animals in the street.²⁶ Bayānūnī's worries range from the sale of photographs of women to physical contact between males and females in crowded buses, posters advertising dirty films, cafés, playing-cards, and music on the radio and television;²⁷ but his most insistent concern is the un-Islamic practice of shaving beards.²⁸

The novelties also invade the realm of ideas. The formidable curriculum for Islamic missionaries which Muḥammad 'Abduh, or perhaps rather Rashīd Riḍā (d. 1354/1935), proposed in commenting on Q3:104 is in large part a modern one;²⁹ it includes, for example, political science (*'ilm al-siyāsa*), by which Riḍā assures us that 'Abduh did not mean the kind of thing that Ibn Taymiyya (d. 728/1328) had written, but rather the study of modern states (*duwal al-'aṣr*).³⁰ Likewise Western influence presumably played a part in 'Abduh's departure from a strictly revelationist view of right and wrong.³¹ Ḥawwā implicitly acknowledges the seepage of Western thought when he lists among the insults that do not dispense one from performing the duty accusations of reactionariness (*raḡ'iyya*) and backwardness (*ta'akbkhur*).³² Other Western ideas which eventually make their appearance range from social control³³ to the unconscious.³⁴ Western ideas are also, of course, attacked. One writer on forbidding wrong finds it necessary to include in his work a

²⁶ Miṣrī, *Amr*, 72.7; cf. above, ch. 16, note 105.

²⁷ Bayānūnī, *Amr*, 135f. no. 6; 137 nos. 3 and 6; 138 no. 11; 139 no. 2. These items form part of an updated version of Ghazzālī's survey of wrongs (*ibid.*, 132–41).

²⁸ *Ibid.*, 63.10 (a first-hand anecdote); 91.5; 126.8; 136 no. 8; 189.11; 192.10.

²⁹ Riḍā, *Tafsīr al-Manār*, 4:38–44. The concern with Islamic missionary activity in the commentary to Q3:104 is discussed in J. Jomier, *Le commentaire coranique du Manār*, Paris 1954, 333–7.

³⁰ Riḍā, *Tafsīr al-Manār*, 4:42 no. 8. 'Abduh's personal confession of the difficulty he experienced in rebuking people (*ibid.*, 29.11) also has a modern ring to it.

³¹ He stresses that what is needed in order to know them apart is common sense rather than erudition (*ibid.*, 27.10); compare the relativism that Rashīd Riḍā infuses into the concept of *ma'rūf* in his commentary to Q7:199 (*ibid.*, 9:536.15), and his exegesis of Q9:67 (*ibid.*, 10:618.19). By contrast, other Sunnīs who pronounce on the question tend to adhere to purely revelationist views of *ma'rūf* and *munkar* ('Awda, *Tashrī*, 1:492.1, 492.8; 'Amrī, *Amr*, 98.12; 'Abd al-Karīm Zaydān, *Uṣūl al-ḍa'wa*, Baghdad 1968, 144.13; Sāmarrā'ī, *Manāḥij*, 43.10, 46.4, 262f. no. 5). Two exceptions are Jamāl al-Dīn Muḥammad Maḥmūd (*Uṣūl al-mujtama' al-Islāmī*, Cairo and Beirut 1992, 196.5, 199.13, a work brought to my attention by Kambiz Eslami) and Zaydān in a more recent work (*Mufaṣṣṣal*, 4:353f. §§3,547–50). ³² Ḥawwā, *Jund Allāh*, 362.13.

³³ S. Ahmet Arvasi, *İlm-i hāl*, Istanbul 1990, 169. He categorises *al-amr bi'l-ma'rūf* as an important form of *iṭtimai murakabe*, parenthetically glossed *sosyal kontrol* (he also glosses *nefs muhasebesi* as 'auto-critique'). Harun Nasution, an Indonesian neo-Mu'tazilite, likewise equates *al-amr bi'l-ma'rūf* with social control (Martin, *Defenders of reason in Islam*, 191, and cf. 151).

³⁴ 'Amrī, *Amr*, 273.3. He is discussing the efficacy (*ta'thīr*) condition, his point being that a rebuke addressed to a fellow-Muslim may work on his subconscious mind.

refutation of the determinist fallacies (*aqwāl bāṭila*) of Schopenhauer and Spinoza.³⁵

All this, however, is pretty much peripheral to the conception of the duty itself. What of the pull of Western ideas on this? One context in which forbidding wrong has played a part has been the enterprise of proving that all good things found in the West are Islamic.³⁶ Here the duty has been pressed into service in connection with a spectrum of Western political values ranging from constitutionalism to revolution. A prime example of the constitutionalist invocation of the duty is provided by Rashīd Riḍā: building on a hint of ‘Abduh’s, he contrives to find in Q3:104 a basis for government by a representative assembly such as is found in republics and limited monarchies.³⁷ Writers linking forbidding wrong to revolution have more to appeal to in their heritage. ‘Amrī, in a careful discussion of the question,³⁸ enlists Ibn Ḥazm (d. 456/1064),³⁹ Jaṣṣāṣ (d. 370/981)⁴⁰ and Juwaynī (d. 478/1085),⁴¹ his conclusion tends to support their views.⁴² The Egyptian Muḥammad ‘Umāra finds in forbidding wrong a duty of political participation (*al-ishṭighāl bi’l-shu’ūn al-‘āmma*),⁴³ if non-violent participation is ineffective, then revolution becomes a duty.⁴⁴ ‘Umāra does not reveal his source of inspiration here, but to the extent that it is not simply modern, it is likely to be Zaydī and Mu‘tazilite: he has a liking for these sectarians unusual in someone of Sunnī background.⁴⁵ An Ibāḍī

³⁵ Sāmarrā’ī, *Manābij*, 32–8.

³⁶ There are in fact two distinct enterprises which may motivate this search for equivalences: the desire to legitimise the adoption of X from the West by finding an Islamic antecedent for it, and the desire to defend Islam against the charge of lacking X.

³⁷ Riḍā, *Tafṣīr al-Manār*, 4:37.20, 38.2, 46.9. Likewise the Tunisian Khayr al-Dīn Pāshā (d. 1307/1890) sets up an analogy between, on the one hand, representative assemblies and freedom of the press in Europe, and, on the other, the duty of the ‘ulamā’ and notables of the Islamic world to engage in *taghyīr al-munkarāt*; in both cases the point is to check the arbitrary behaviour of rulers (*al-iḥtisāb ‘alā ‘l-dawla*) (*Muqaddimat kitāb Aqwām al-masālik*, Istanbul 1293, 14.11). In a similar way ‘Abd al-Raḥmān al-Kawākibī (d. 1320/1902) sees representative assemblies as entirely in accordance with Q3:104 (*Ṭabā’i’ al-istibdād*, Cairo n.d., 82.11). Both are discussed in K. S. al-Husry, *Origins of modern Arab political thought*, Delmar 1980, 46–9, 66f., 138f. ³⁸ ‘Amrī, *Amr*, 175–83.

³⁹ *Ibid.*, 179–81, citing Ibn Ḥazm, *Fīṣal*, 4:171–6; cf. above, ch. 14, 390, and ch. 17, note 69. This passage is the most sustained statement of the revolutionary implications of *al-amr bi’l-ma’rūf* I have seen in pre-modern Sunnī literature.

⁴⁰ ‘Amrī, *Amr*, 182f.; cf. above, ch. 12, 336f.

⁴¹ *Ibid.*, 183.3; cf. above, ch. 13, note 56. ⁴² *Ibid.*, 183.10.

⁴³ Muḥammad ‘Umāra, *al-Islām wa-ḥuqūq al-insān*, Cairo and Beirut 1989, 82.15, 116.9, and cf. 84.1 (*farīdat al-ishām al-ijābī fī shu’ūn al-mujtama’ wa’l-dawla*).

⁴⁴ *Ibid.*, 84.2, 94.9.

⁴⁵ He responds enthusiastically to the polemical equation of predestinationism and political quietism by the Zaydī imam al-Hādī (d. 298/911) (‘Umāra, *Rasā’il*, 2:12–14; cf. above, ch. 10, note 42). The catholicity of his tastes is indicated by the fact that he is also an admirer of Howard Fast’s *Spartacus* (*ibid.*, 1:18); Fast wrote the book so that his readers ‘may take strength for our own troubled future and that they may struggle against oppression and

author adds his own tradition to the revolutionary chorus.⁴⁶ In the recent efflorescence of literature on Islam and human rights,⁴⁷ forbidding wrong occasionally appears in yet another role: as a fundamental guarantee (*ḍamān*) of human rights in Islam.⁴⁸ Thus Shaukat Hussain considers that ‘the greatest sanction for the practical implementation of Human Rights’ is the duty of forbidding wrong.⁴⁹

Alongside these rather sweeping invocations of the duty, we also find it linked with particular political rights from the Western liberal tradition. Occasionally it is used as a foundation for freedom of association. Thus the deputy postmaster-general of Peshawar quotes Q3:104 as his proof-text for freedom of association, commenting that God has thereby ‘given the right to form association for pursuit of righteousness’.⁵⁰ (As in this case, political rights in their Islamic versions have a tendency to be rights to do or say good Islamic things, not bad un-Islamic things.)⁵¹ But the standard equation, and it is an old one, is with freedom of speech (or expression, or opinion).

Footnote 45 (*cont.*)

wrong’ (*Spartacus*, New York 1952, following the copyright page). A modern Zaydī document which identifies *al-amr bi’l-ma’rūf* with, among other things, opposing injustice (*muqāwamat al-zulm*) is the manifesto of the Hizb al-Ḥaqq, the main Zaydī political party in Yemen (*Bayān mashrū‘ Hizb al-Ḥaqq*, n.p. n.d., 8f. no. 2; I am indebted to Bernard Haykel for sending me a copy of this passage). For the Hizb al-Ḥaqq and *al-amr bi’l-ma’rūf*, see also S. Carapico, *Civil society in Yemen*, Cambridge 1998, 145; for a reformist appeal to *al-amr bi’l-ma’rūf* in 1360/1941, see J. L. Douglas, *The Free Yemeni Movement, 1935–1962*, Beirut 1987, 54 (I owe both references to Frank Stewart).

⁴⁶ Bukayr ibn Sa‘īd A’washt, *Dirāsāt Islāmiyya fī ‘l-uṣūl al-Ibāḍiyya*, Cairo 1988, 107.19, 108.8.

⁴⁷ For an uncharitable assessment of this literature see A. E. Mayer, *Islam and human rights: tradition and politics*, Boulder 1995. I owe such familiarity as I have with it to my participation in a conference held in November 1993 at Yale Law School on ‘Law, culture and human rights: Islamic perspectives in the contemporary world’.

⁴⁸ Muḥammad Fathī ‘Uthmān, *Min uṣūl al-fikr al-siyāsī al-Islāmī*, Beirut 1979, 330.13. For a Zaydī author who adduces *al-amr bi’l-ma’rūf* in a discussion proving that Zaydism bestows on the individual the best that modern thought has to offer, see Faḍīl, *Man hum al-Zaydiyya?*, 58.5 (drawn to my attention by Bernard Haykel).

⁴⁹ Shaukat Hussain, *Human rights in Islam*, New Delhi 1990, 104, and cf. 49f., 87. It is not far-fetched to see in some aspects of *al-amr bi’l-ma’rūf* a value that could in principle contribute to the creation of a culture supportive of human rights – or some tolerably exigent Islamic versions of some of them – in the states of the modern Islamic world.

⁵⁰ Fakhrudīn Malick, ‘Islamic concept of human rights’, in S. M. Haider (ed.), *Islamic concept of human rights*, Lahore 1978, 59; similarly Abul A‘lā Mawḍūdī (d. 1399/1979), *Human rights in Islam*, Delhi n.d., 29 no. 7. Mawḍūdī has a piece devoted to *al-amr bi’l-ma’rūf* in his *Mafāhīm Islāmiyya* (Jedda and Dammām 1987, 111–21), but it is surprisingly uninteresting.

⁵¹ Thus Shaukat Hussain, who likewise links *al-amr bi’l-ma’rūf* and freedom of association, specifies that the right is to be used for the propagation of ‘virtue and righteousness’ (*Human rights in Islam*, 61). As Houchang Chehabi points out to me, this phenomenon has parallels in the history of Catholic thought in modern times. Thus Pope Leo XIII (1878–1903), discussing ‘liberty of speech’ in an encyclical of 1888, affirms that men have a right to propagate ‘what things soever are true and honorable’, but that ‘lying opinions’ and ‘vices which corrupt the heart’ should be ‘diligently repressed by public authority’ (J. J. Wynne (ed.), *The great encyclical letters of Pope Leo XIII*, New York 1903, 152).

Muwayliḥī (d. 1348/1930) adumbrates this in a jocular passage in which he identifies journalists as playing the part of ‘those who command right and forbid wrong to whom Islamic law refers’.⁵² A typical example of the linkage is found in a work of Saʿīd Muḥammad Aḥmad Bā Nāja.⁵³ He cites Article 19 of the Universal Declaration of Human Rights regarding freedom of opinion and expression, emphasising at the same time that governments – both Eastern and Western – have imposed serious restrictions on it. He then turns to Islam, and to the high status it confers on freedom of opinion as an individual right. Forbidding wrong, he points out, is among the most important duties of Islam, and its realisation necessarily requires freedom of opinion, as is apparent from many Koranic verses. He goes on to explain that this is not, of course, a right to propagate views contrary to Islamic beliefs or morals, and so forth. Thus Islam, he concludes, secures freedom of opinion and thought. Numerous authors associate forbidding wrong with freedom of speech in these or similar terms.⁵⁴ Some make separate reference to a right of protest or the like against rulers, and they have no problem in grounding this in forbidding wrong.⁵⁵

⁵² Muḥammad al-Muwayliḥī (d. 1348/1930), *Ḥadīth ‘Īsā ibn Hishām*, Cairo 1907, 41.9, translated in R. Allen, *A period of time*, Reading 1992, 137 (I am indebted to Roger Allen for drawing my attention to this passage). Cf. also above, notes 24, 37.

⁵³ Saʿīd Muḥammad Aḥmad Bā Nāja, *Dirāsa muqārīna ḥawla ‘l-‘lām al-‘ālamī li-ḥuqūq al-insān*, Beirut 1985, 49–51.

⁵⁴ See Hüseyin Kâzım Kadri (d. 1352/1934), *İnsan hakları beyannamesi’nin İslâm hukukuna göre izahı*, Istanbul 1949, 72.10, 73.3; ‘Abd al-Ḥamīd Mutawallī, *Mabādi’ nizam al-ḥukm fi ‘l-İslām*, Alexandria 1974, 280.11; Muḥammad al-Mubārak, *Nizām al-İslām: al-ḥukm wa’l-dawla*, Beirut and Cairo 1974, 121.1, 121.19 (I am indebted to Yitzhak Nakash for drawing this work to my attention); Muḥammad Maʿrūf al-Dawālībī, *al-Dawla wa’l-sulṭa fi ‘l-İslām*, Beirut 1983, 56f., point 3 (also drawn to my attention by Yitzhak Nakash); Zaydān, *Uṣūl al-daʿwa*, 175–7 §§195f.; Şubḥī Maḥmaşānī (d. 1407/1986), *Arkān ḥuqūq al-insān: baḥṭh muqārīn fi ‘l-sharī’a al-İslāmiyya wa’l-qawānīn al-ḥadītha*, Beirut 1979, 143.16; Muḥammad Aḥmad Khidr, *al-İslām wa-ḥuqūq al-insān*, Beirut 1980, 32.6; al-Hay’a al-‘Āmma lil-İsti’lāmāt, *Huqūq al-insān fi ‘l-İslām*, n.p. n.d., 9.11; Aḥmad Bukayr, ‘al-Ḍamīr al-dīnī wa-ḥuqūq al-insāniyya fi ‘l-İslām’, in Université de Tunis, Centre d’Etudes et de Recherches Economiques et Sociales, *IIIème Rencontre Islamo-Chrétienne: Droits de l’homme*, Tunis 1985, Arabic section, 152.12; Muḥammad Sayyid Muḥammad, ‘Haqq al-ta’līm wa’l-‘lām fi ‘l-İslām’, in *Huqūq al-insān fi ‘l-İslām: maqālāt al-Mu’tamar al-sādis lil-fikr al-İslāmī*, n.p. n.d. (conference held in Tehran in 1408/1988), 478.17 (speaking of a *ḥaqq al-‘lām*); Malick, ‘Islamic concept of human rights’, 57–9; Hussain, *Human rights in Islam*, 51. As with Bā Nāja’s exposition, a widespread feature of these accounts is the limitation of the freedom to good opinions. Thus Hussain in the passage just cited explains that ‘this freedom of opinion must be used for propagation of virtue and truth and not for spreading evil or wickedness’; cf. Mayer, *Islam and human rights*, 76f., and J. Donnelly, *The concept of human rights*, New York 1985, 49f. (both commenting critically on this feature of Islamic human rights literature; Donnelly’s work was drawn to my attention by Rhoda Howard).

⁵⁵ Bā Nāja, *Dirāsa*, 30.5, on *ḥaqq al-murāqaba*; Mubārak, *Nizām*, 38–40, point 6; Khidr, *al-İslām wa-ḥuqūq al-insān*, 43.15; Jamāl al-Dīn ‘Atīyya, ‘Huqūq al-insān fi ‘l-İslām: al-naẓariyya al-‘āmma’, in *Huqūq al-insān fi ‘l-İslām: maqālāt al-Mu’tamar al-khāmis lil-fikr al-İslāmī*, Tehran 1987, 175 no. 3 (*raqābat taṣarrufāt al-wulāt*); Hussain, *Human rights in Islam*, 49f., 87.

The results of this syncretic activity are uneven. Sometimes they are quite plausible, as when forbidding wrong is linked to protest and revolution. But where the match is with liberal values, the effect can be jarring. The reason is not far to seek. Islam, within certain limits, tells people what to believe and how to live; liberalism, within certain limits, is about leaving them to work this out for themselves. It is this incompatibility that lies behind the unhappy notion of a right to freedom of opinion which protects only good opinions.⁵⁶ What makes the disparity so salient in the discussions that concern us is that forbidding wrong is precisely a practice for telling people what to believe and how to live – for imposing family values, not for enabling people to choose their lifestyles. This point has not been lost on modern Muslim writers, who have long been critical of excessive freedom in the West.⁵⁷ Sayyid Quṭb (d. 1386/1966) remarks that in the Jāhili societies of the world today, debauchery and sin are considered to be ‘personal matters’ (*masā’il shakṣiyya*) in which no one has a right to interfere;⁵⁸ you tell people ‘this is wrong!’, and they respond: ‘On the contrary, it’s not wrong; it used to be wrong in the past, but the world “evolves”, society “progresses”, and attitudes vary.’⁵⁹ A more earthy writer contemporary with Quṭb opens his discussion of forbidding wrong with a characterisation of the modern, as opposed to the Islamic, fashion (*mōḍa*).⁶⁰ The modern fashion has it that people are free, nobody having any authority over anyone else, or any right to interfere in his affairs; if you see someone naked in a tram, or bad-mouthing religion, or drinking wine, or gambling, or kissing girls in the middle of the street, so what? The characterisation he then offers of the Islamic fashion stresses that the community is a single body; a public wrongdoer does harm not just to himself, but to you as well. He invokes a well-known Prophetic tradition about people in a boat who perish or survive together depending on their reaction to some of their number who set about making a hole in the keel – a clear indication that

⁵⁶ ‘Amrī, by contrast, simply dismisses the modern notion of freedom of thought where the well-being of the Muslim community is concerned, since it is a community united in its thought (*Amr*, 328.9).

⁵⁷ Already in a discussion of *al-amr bi’l-ma’rūf* as the basis of Islamic government, a religious scholar affiliated to the Cairo branch of the Committee of Union and Progress wrote that European states, while forbidding public wrongs, permit many personal vices in order to maximise freedom (*faḍla iṭlāq-i hürriyet bahānesiyle*) (Meḥmed Qadrī Nāsiḥ (fl. early fourteenth/twentieth century), *Zulm ve ‘adl*, n.p. 1326, 168.7 (I am indebted to Şükrü Hanioglu for supplying me with a copy of this text); for the author and his role in the Cairo branch of the Committee of Union and Progress, see M. Ş. Hanioglu, *The Young Turks in opposition*, New York and Oxford 1995, 52, 248 n. 253; S. Balić, *Das unbekannte Bosnien*, Cologne 1992, 238, drawn to my attention by Şükrü Hanioglu).

⁵⁸ Sayyid Quṭb (d. 1386/1966), *Fī zilāl al-Qur’ān*, Beirut 1973–4, 949.12 (to Q5:79).

⁵⁹ *Ibid.*, 950.10. ⁶⁰ Taṇṭawī, *Fuṣūl*, 174.2.

the modern enemy is not just libertinism but also individualism.⁶¹ Ibn Ḥājj attacks those who seek to emasculate the duty on the pretext that we live in a time of democracy and liberty, and that every individual is a free agent, as if democracy could abrogate this duty, which many today regard as interference in the lives of others and in itself a form of violence.⁶² In the same article he invites the believers to sympathise with some upstanding young men who had gone to break up a dancing party, and were received by the police with a hail of tear-gas bombs.⁶³ Anonymous participants in a bottle-smashing incident which took place in B'r'rāqī near Algiers in 1410/1989 give a vivid account of the affair, in the course of which they highlight the outrageous response of the vintner: 'Boumedienne permits taverns for wine and mosques for prayer; it's up to you to choose!'⁶⁴ It was with some foresight that Louis Gardet once wrote that forbidding wrong as moral reform ('réforme des mœurs'), though currently held in check by the modern state, was alive in the sentiments of the Muslim people, and could well reemerge in favourable circumstances.⁶⁵

It is not surprising, then, that in the modern Islamic world forbidding wrong appears primarily as a praxis for the spreading of Islamic, not liberal, values. Conceived in this fashion, it is not in any flagrant discord with the old scholastic tradition; but we can nevertheless discern a significant shift of emphasis. The core of the old conception was a personal duty to right wrongs committed by fellow-believers as and when one encountered them; the core of the new conception is a systematic and organised propagation of Islamic values both within and outside the community. A couple of points may serve to illustrate the shift away from the old conception of the duty as primarily one of response by an individual to an immediate situation. One is the view of 'Abd al-Karīm Zaydān that a Muslim has an obligation to be

⁶¹ *Ibid.*, 174.11; compare 'Abd al-Mu'izz 'Abd al-Sattār, *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, Beirut and Damascus 1980, 10.14 (and cf. *ibid.*, 7.9, 16.8). For the boat tradition in classical sources, see, for example, Bukhārī, *Ṣaḥīḥ*, 2:111.19, 164.7; Ibn Ḥibbān, *Ṣaḥīḥ*, in the arrangement of Fārisī, 1:306–9 nos. 294f., 297. In Ibn Ḥibbān's first version, which is actually more apt than the versions of Bukhārī which modern Islamic authors cite, someone remarks: 'Leave him alone! He's only making a hole in his own place!' (*ibid.*, 306.13). Compare a version in an Ibādī source where the person making the hole says: 'It's my place, I can do what I like here!' (Abū Bakr al-Kindī, *Muṣannaf*, 12:11.7). The tradition is not usually made much of by pre-modern writers on forbidding wrong; but for an exception, see Ibn al-Nahḥās, *Tanbīh*, 87.13–89.17.

⁶² 'Alī Ibn Ḥājj, 'Man ṣāhib al-'unf?', *al-Munqidh* (Algiers), 28 Jumādā II, 1410, 3d.49, translated in M. al-Ahnaf *et al.*, *L'Algérie par ses islamistes*, Paris 1991, 139. I owe all my material from *al-Munqidh* to Abdeslam Maghraoui, who kindly supplied me with copies.

⁶³ Ibn Ḥājj, 'Man ṣāhib al-'unf?', 2e.61, translated in Ahnaf, *Algérie*, 135.

⁶⁴ *Ibid.*, 142 = anon., 'Hal atāka naba' al-B'r'rāqī?!', *al-Munqidh*, second half of Rabī' I, 1410, 2b.16. The article stresses that the action was taken only after less drastic measures had failed.

⁶⁵ L. Gardet, *La cité musulmane*, Paris 1961, 187.

in a state of (psychological) readiness (*isti'dād wa-tahayyū*) to carry out the duty;⁶⁶ Zaydān, characteristically, is writing a work in a modern genre which might be called 'mission theory'. The other point is a tendency to emphasise long-term results. An example of this is 'Amrī's argument, in the context of a discussion of the efficacy condition, that a reproof which goes unheeded in the short run may nevertheless work on the offender's sub-conscious mind.⁶⁷ But these are subtleties. By far the most obvious and widespread sign of the times is a new concern with organisation.

'Abduh's commentary on Q3:104 as developed by Riḍā is an early example of this concern, and it already places it in a context of mission theory. On the assumption that the 'community' who are to perform the duty are a subgroup of the community at large,⁶⁸ they proceed to discuss the nature of this subgroup. Sometimes, as we have seen, they appear to be talking about constitutional government.⁶⁹ But in one extended passage, they seem to be thinking primarily of missionaries,⁷⁰ whether their efforts be directed towards Muslims or non-Muslims.⁷¹ This enterprise needs organisation: it should be in the hands of what these days is called an association (*jam'iyya*), and it needs a leadership (*riyāsa*) to direct it.⁷² The theme of organisation recurs in two anonymous – and somewhat vacuous – reformist letters published in a religious journal in 1333/1915⁷³ and 1334/1916.⁷⁴ Zaydān likewise stresses the need for the duty to be performed by organised groups,⁷⁵ and he is far from alone in this.⁷⁶ Thus

⁶⁶ Zaydān, *Uṣūl al-da'wa*, 145.14. He is commenting on the 'three modes' tradition, from which he contrives to infer this obligation. ⁶⁷ See above, note 34.

⁶⁸ See above, ch. 2, 17–20. We are not told whether or not this assumption is correct.

⁶⁹ See above, note 37. ⁷⁰ See above, note 29.

⁷¹ Cf. Riḍā, *Tafsīr al-Manār*, 4:27.18, 35.2 (non-Muslims); *ibid.*, 47.4 (both Muslims and non-Muslims). ⁷² *Ibid.*, 45.7, 47.1.

⁷³ Anon., 'Hāl al-Muslimīn al-yawm wa-Jamā'at al-da'wa wa'l-irshād', *al-Manār*, 18 (1333), 793.17, 794.16, 794.24 (calling for the establishment of such an association).

⁷⁴ Anon., 'Hāl al-Muslimīn al-ijtimā'iyya wa-farīdat al-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar', *al-Manār*, 19 (1334–5), 256.20. The reformist platform is clearly articulated in a passage denouncing indigenous tomb-cults and Western materialism (*ibid.*, 251.13).

⁷⁵ Zaydān, *Uṣūl al-da'wa*, 271f. §351, esp. 272.6, 272.17.

⁷⁶ See Muḥammad 'Izzat Darwaza (d. 1404/1984), *al-Tafsīr al-ḥadīth*, Cairo 1962–4, 5:14.12 (speaking of *al-jamā'āt wa'l-munazzamat al-ijtimā'iyya*, whose role he distinguishes from that of *man bi-yadīhi 'l-sultān*); 'Umāra, *al-Islām wa-ḥuqūq al-insān*, 116.12; 'Uthmān, *Min uṣūl al-fikr al-siyāsī al-Islāmī*, 261.25; Muḥammad 'Alī Mas'ūd, *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, Cairo 1980, 58.4, 94.10; 'Atīyya, 'Huqūq al-insān fī 'l-Islām', 147.27 (with the qualification that this should not limit the scope of individual activity); see also L. Gómez García, *Marxismo, islam e islamismo: el proyecto de Adil Husayn*, Madrid 1996, 338, 340 (this study was drawn to my attention by Maribel Fierro). The Basic Principles Committee of the Constituent Assembly of Pakistan recommended in 1952 that an organisation should be set up to make the teachings of Islam known to the people and to perform the duty (Basic Principles Committee, *Report*, Karachi 1952, 2, drawn to my attention by Yohanan Friedmann). The manifesto of the Zaydī Ḥizb al-Ḥaqq speaks of the

Ḥawwā explains that Muslims living in a corrupt Islamic state (*dawla Islāmiyya munḥarifa*) should organise performance of the duty ‘with the hand’; this operation should avoid collision with the state, and should take as its target wrongs perpetrated by individuals (musical instruments, pictures of nudes, liquor, or the flaunting of female sexuality).⁷⁷ Sometimes it is hard to tell whether authors have in mind groups to be formed within the society or the official activity of the state.⁷⁸ The former is clearly envisaged in the Islamic human right of free association for the purposes of forbidding wrong.⁷⁹ Such societies for forbidding wrong have indeed been established from time to time; one was set up in Palestine in the time of the Mandate,⁸⁰ another is mentioned in Egypt.⁸¹

A sense of what has changed with this espousal of organisation can be obtained from a work in the mission theory genre by Muḥammad Aḥmad al-Rāshid.⁸² His concern is to show that the great authorities of the past proclaimed the legality of collective action (*al-‘amal al-jamā‘ī*) in forbidding wrong, and thus to refute the claim that such action is an innovation alien to Islamic norms.⁸³ To this end, he collects some examples of traditional figures who are said to have performed the duty together with a group of associates.⁸⁴ Texts such as these, he remarks, are valuable discoveries which

need to develop a proper mode of performance of the duty ‘on the part of individuals and groups (*jamā‘āt*)’ (for this passage, see above, note 45).

⁷⁷ Ḥawwā, *Jund Allāh*, 392 no. 6 (and see 391.1). He speaks here of *tanẓīm ‘amaliyyat al-jihād bi’l-yad*; but he has already defined his terms in such a fashion that *jihād* within the Islamic world is synonymous with *al-amr bi’l-ma’rūf*, *ibid.*, 364.8. For Ḥawwā’s personal experience in this line of duty, see I. Weismann, ‘Sa’id Hawwa: the making of a radical Muslim thinker in modern Syria’, *Middle Eastern Studies*, 29 (1993), 613, and for his doctrine of *jihād*, see I. Weismann, ‘Sa’id Hawwa and Islamic revivalism in Ba’thist Syria’, *Studia Islamica*, 85 (1997), 149–53.

⁷⁸ For passages where the term *tanẓīm* clearly refers to the latter, see ‘Awda, *Tashrī‘*, 1:501.5; ‘Amrī, *Amr*, 244.2; Zaydān, *Mufaṣṣal*, 4:370 §3,584. Maḥmūd speaks of *tanẓīm* as desirable (*Uṣūl al-mujtama‘ al-Islāmī*, 203.21), but is vague as to what he has in mind. A clear case where *tanẓīm* does not refer to the efforts of the state is the passage by Ḥawwā cited in the preceding note.

⁷⁹ Hussain, *Human rights in Islam*, 114, art. XIV(a), and Mayer, *Islam and human rights*, 91 (both quoting the Universal Islamic Declaration of Human Rights, adopted by the Islamic Council of Europe in Paris in 1401/1981); cf. Munazzamat al-Mu’tamar al-Islāmī, ‘Wathīqat ḥuqūq al-insān fī ‘l-Islām’, in *Ḥuqūq al-insān fī ‘l-Islām: maqālāt al-Mu’tamar al-khāmis lil-fikr al-Islāmī*, Tehran 1987, 559, art. 22(b).

⁸⁰ See U. M. Kupferschmidt, *The Supreme Muslim Council: Islam under the British Mandate for Palestine*, Leiden 1987, 249f., on the *Jam‘iyyat al-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar al-markaziyya* of 1353/1935; note that the founders rendered the name of the society into English as ‘Central Society for the Preservation of Public Morals’. I owe this reference to Mike Doran.

⁸¹ E. Sivan, *Radical Islam: medieval theology and modern politics*, New Haven and London 1985, 85. ⁸² Rāshid, *Muntalaq*, 146–54. ⁸³ *Ibid.*, 146.14, 148.6.

⁸⁴ *Ibid.*, 149.12. The three examples given are the Companion Hishām ibn Ḥakīm ibn Hizām (see above, ch. 4, note 97), ‘Abd al-Raḥīm al-‘Althī (see above, ch. 6, note 103), and Abū Bakr al-Aqfālī (see above, ch. 17, note 204).

should take their place in the law of Islamic activism (*al-fiqh al-ḥarakī*).⁸⁵ He then quotes Ghazzālī's view that the permission of the ruler is not needed for the performance of forbidding wrong by armed bands.⁸⁶ This text, he adds, is one that should be written in letters of gold, and memorised by missionaries (*du'āt*); it shows that the literature of the heritage (*kutub al-turāth*) abounds in sources for the law of activism.⁸⁷ Two things are noteworthy here. One is the gap between the precedents he invokes and the current practice he seeks to legitimise: the occasional examples of group action in the literature of the heritage never involve the kind of formal associations that have sprung up in the Islamic world under Western influence. The other is the sense of surprise that Rāshid displays.⁸⁸ He takes it for granted, not that his concerns and those of the heritage are identical, but that they come from different worlds; the relevance of the views of the medieval scholars to his own world is not an axiom but a discovery.

Who is it who is to engage in all this activity? One group that had traditionally been central to the performance of the duty gets remarkably little attention: the religious scholars. Two authors who still take them seriously are Sāmarrā'ī and Muḥammad 'Alī Mas'ūd. Much of what Sāmarrā'ī says about them is negative; but his high-flown rhetoric regarding the horrendous consequences of their silence in the face of wrongdoing does at least pay them the compliment of supposing that they matter.⁸⁹ In one of his rare expressions of personal opinion, he tells us that he feels it to be better for the duty to be undertaken by the scholars (*'ulamā'*).⁹⁰ It may be that wrongdoing will become so rampant that they alone cannot handle it; in that case the individual members of the community are obligated to act – but under the leadership of their scholars.⁹¹ Mas'ūd seems to have in mind the old saying about the tripartite division of labour, though he does not quote it. The duty is to be performed in three modes (*marātib*). First, there is the mode of the rulers (*ḥukkām*),⁹² who alone can use force. Second, there is that of the scholars, who are to perform the duty with their pens, tongues and ideas – but not with violence.⁹³ Finally, there are the common people (*'awāmm*), for whom he reserves a fairly energetic version of performance 'with the heart' – again without violence.⁹⁴ This ascribes a major

⁸⁵ *Ibid.*, 151.9.

⁸⁶ For this view see above, ch. 16, 441. Another figure who is very partial to this text is Ibn Ḥājj (see below, note 168). ⁸⁷ Rāshid, *Munṭalaq*, 152.12.

⁸⁸ See also *ibid.*, 147.5.

⁸⁹ Sāmarrā'ī, *Manābij*, 8–11. Ṣalāḥ al-Dīn al-Munajjid introduces a little anthology of encounters between *'ulamā'* and rulers of the past with a similar lament (*al-Āmirūn bi'l-ma'rūf*, 5.3). ⁹⁰ Sāmarrā'ī, *Manābij*, 61.13. ⁹¹ *Ibid.*, 61.17.

⁹² Muḥammad 'Alī Mas'ūd, *Amr*, 24.2. ⁹³ *Ibid.*, 27.1. ⁹⁴ *Ibid.*, 30.15.

role to the scholars, though Mas'ūd's concept of them is a broad and somewhat modernised one.⁹⁵

A group that traditionally received rather little attention, and now gets significantly more, is women.⁹⁶ While no author actually denies their eligibility to perform the duty, 'Amrī comes close to it: for although he is clearly composing his account with Ghazzālī's in front of him, he chooses to open his analysis of the conditions of obligation by stating that 'a man' (*al-rajul*) must be legally competent.⁹⁷ By contrast, an Egyptian academic writing on Zaydī thought reacts to the exclusion of women by the imam al-Mu'ayyad Yaḥyā ibn Ḥamza (d. 749/1348f.) with the remark that he sees no ground for stipulating that the performer be male.⁹⁸ The Palestinian exegete Darwaza understands Q9:71 to establish the equality of women with men, in particular with regard to forbidding wrong.⁹⁹ The fact that he is alone in raising the question among the seventeen modern Sunnī exegetes whose commentaries I checked may suggest some reluctance to broach a sensitive issue.¹⁰⁰ Outside Koranic exegesis, however, the verse is quite often invoked to include women. Ibn Ḥājj takes it to say that the duty is incumbent on women as well as men – though he adds that women are a special case.¹⁰¹ Muhammad Sharif Chaudhry interprets the verse to mean that Muslim men and women 'are severally and jointly responsible for enjoining the right and forbidding the wrong',¹⁰² appropriately, his book has an introduction penned by his wife, Dr Nasreen Sharif of the Fatimah Jinnah Medical College. Faḍl Ilāhī, who teaches at a religious college in Riyāḍ, ends an otherwise somewhat arid work on the duty by calling on all male and female believers to concern themselves with forbidding wrong, and quoting the verse to

⁹⁵ He includes among them authors, school-teachers, preachers, spiritual guides, and whoever is learned in matters of religion (*ibid.*, 27.2).

⁹⁶ See above, ch. 17, 482–6.

⁹⁷ 'Amrī, *Amr*, 246.11 (for his dependence on Ghazzālī, see above, note 13, and for the passage of the *Ihya'* that he is following at this point, see above, ch. 16, 429). Likewise in his comments on Q9:71, he does not take the opportunity to mention women (*ibid.*, 218.11). He does allow a wife to counsel her husband despite her subordination to him (*ibid.*, 344.1, citing Ghazzālī; cf. above, ch. 16, 431f.). An author who uses wording derived from Ghazzālī to include women is 'Abd al-Wahhāb Rashīd Abū Ṣāfiyya (*Sharḥ al-Arba'īn al-Nawawīyya fi thawb jadīd*, n.p. 1988, 399.15).

⁹⁸ Ṣubḥī, *Zaydiyya*, 310 n. 26; cf. above, ch. 10, notes 140f.

⁹⁹ Darwaza, *al-Tafsīr al-ḥadīth*, 12:186.8 (to Q9:71); and cf. *ibid.*, 9:71.21 (to Q4:34).

¹⁰⁰ Another plausible example of such reluctance is an article on forbidding wrong which appeared in an Egyptian women's journal, and yet never directly confronts the question ('Abd al-'Azīz al-Sharīf, 'al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar', *al-Nahḍa al-nisā'iyya*, 9 (1931), 220–2, drawn to my attention by Beth Baron).

¹⁰¹ Ibn Ḥājj, *Amr*, 1:2. There may be a fuller discussion of this verse on cassette 2.

¹⁰² Muhammad Sharif Chaudhry, *Women's rights in Islam*, Delhi 1991, 148 no. 2.

make his point.¹⁰³ Fathī ‘Uthmān cites the verse to show that in Islam women are not stripped of rights and duties, nor denied legal personality and social responsibility.¹⁰⁴

A particularly strong proponent of female participation is ‘Abd al-Ḥalīm Muḥammad Abū Shuqqa, a pupil of Nāṣir al-Dīn al-Albānī. He adduces Q9:71 as a proof-text,¹⁰⁵ and finds examples in tradition (*ḥadīth*) of women performing the duty against men.¹⁰⁶ One of these is a story set among a tribal group which converted to Islam after the conquest of Mecca in the year 8/630. The best they could do for a prayer-leader was a boy of six or seven who happened to have learnt some of the Koran from travellers. Unfortunately his garment was so short that his bottom was exposed each time he prostrated himself. In response to this spectacle, a tribeswoman called out: ‘Aren’t you going to cover up your Koran-reciter’s bottom from us?’ (*a-lā tughatṭūn ‘annā ’st qārī’ikum?*). The tribesmen thereupon made the boy’s day by providing him with a shirt.¹⁰⁷ This is an original use of a tradition that plays no part in pre-modern discussions of forbidding wrong by women or anyone else.

What is less common is for these writers to face squarely the tensions between such views and the traditional subordination and seclusion of women. A generation ago Zaydān published a work in which he held that women should be involved in Muslim public affairs (though not in elections); he spoke of them performing the duty towards members of the family, neighbours, and other women¹⁰⁸ – but not, by implication, towards men in general. In a massive work on the legal status of women in Islam published a quarter of a century later, he is emphatic that women are obligated to perform the duty just as men are;¹⁰⁹ but again, he does not seem to think

¹⁰³ Faḍl Ilāhī, *al-Hisba: ta’rīfuhā wa-mashrū’iyyatuhā wa-wujūbuhā*, Gujranwala 1993, 82.14. Ilāhī, whose work was drawn to my attention by Kambiz Eslami, uses the term *ḥisba* to cover both the official and individual duties.

¹⁰⁴ ‘Uthmān, *Min uṣūl al-fikr al-siyāsī al-Islāmī*, 255.20.

¹⁰⁵ ‘Abd al-Ḥalīm Muḥammad Abū Shuqqa, *Tahrīr al-mar’a fī ‘aṣr al-risāla*, Kuwait 1990–1, 1:89.6, and cf. 2:49.2, 223.2.

¹⁰⁶ *Ibid.*, 1:29.8, 2:49.16, 50.4, and cf. 226.9, 227.9.

¹⁰⁷ Bukhārī, *Ṣaḥīḥ*, 3:144.7. It is the boy, ‘Amr ibn Salima al-Jarmī (d. 85/704), who narrates the story in Baṣra in later life (see also Ibn Ḥanbal, *Musnad*, 5:30.1, 71.4; Abū Dāwūd, *Sunan*, 1:393f. no. 585; Ibn Sa’d, *Ṭabaqāt*, 7:1:63.16, 64.8, and cf. 64.12). This is not the only tradition of Bukhārī’s that is manifestly intended to amuse us.

¹⁰⁸ Zaydān, *Uṣūl al-da’wa*, 136.2, quoting Q9:71.

¹⁰⁹ Zaydān, *Mufaṣṣal*, 4:211f. §3,288, §3,291 (arguing that for this reason women too have freedom of opinion); 358 §3,557 (his key statement on the question). He inserts frequent references to women in rewriting the traditional rules (see, for example, *ibid.*, 356 §3,555 (*Muslim wa-Muslima*); 360 point *d* (*raḥulan kāna aw imra’a*); 363 §3,569 (*al-Muslim aw al-Muslima*)); he even does so in a text he takes from Qurtūbī (*ibid.*, 356 §3,554, citing Qurtūbī, *Jāmi’*, 4:47.11). He likewise extends Ghazzālī’s remarks on boys who have not yet attained puberty to include girls in the same position (Zaydān, *Mufaṣṣal*, 4:360, point *a*; cf. above, ch. 16, 429). He states that some scholars had made no explicit

that they should do it to men, at least not outside the immediate family.¹¹⁰ Instead, his earlier mention of women doing it to other women now reappears as a programme for endowing women with a parallel public space of their own. Thus where the state organises the duty officially, it may open a college to train female officers to perform it (*muḥtasibāt*).¹¹¹ Likewise Muslim women at the present day should undertake the duty as organised groups, forming female associations (*jamʿiyyāt nisāʾiyya*) for the purpose. These associations should operate among women, whether seeking them out in their homes or inviting them to their centres; they should publish weekly or monthly magazines, and arrange classes, lectures and discussions.¹¹² This, of course, is a rather progressive view. A more conservative attitude is represented by the Saʿūdī Khālīd al-Sabt. Following Ghazzālī, he has no hesitation in taking the position that to be male is not a condition of obligation.¹¹³ However, he goes on to make it very clear that we are talking about a woman in her own home; this is no licence for women to go outside their homes to practise the duty, involving themselves in religious and other affairs, as unfortunately happens so much these days.¹¹⁴ Another conservative Saʿūdī author, ʿAbd al-ʿAzīz ibn Aḥmad al-Masʿūd, states that for women the normal mode of performance of the duty with respect to men is in the heart.¹¹⁵ He does, however, take the view that they should do it to other women, and verbally to those males who are related to them.¹¹⁶ This includes their husbands,¹¹⁷ and, of course, their children; as he points out, they are well placed to perform the duty with regard to their children since, unlike men, they spend all their time at home.¹¹⁸

statement on the question of the performance of the duty by women because the answer was so obvious; he is at least able to invoke Ghazzālī's explicit statement on his side (*ibid.*, 358 §3,558; cf. above, ch. 16, note 15).

¹¹⁰ He repeats the old view that a wife may reprove her husband (*ibid.*, 362 §3,565; cf. above, ch. 16, 431f.); he adds a new twist by stating that a daughter may do it to her father (*ibid.*, 361 §3,564). ¹¹¹ *Ibid.*, 370 §3,584. ¹¹² *Ibid.*, 370 §3,585.

¹¹³ Sabt, *Amr*, 171.5; he quotes Q9:71 as a proof-text, *ibid.*, 172.6.

¹¹⁴ *Ibid.*, 172.11. He likewise disapproves of women showing their hands and faces (*ibid.*, 305.8), but he is by no means totally inflexible: in this age when the media have brought evil into every home, he is prepared to countenance Islamic summer centres for women on the principle of choosing the lesser evil (*ibid.*, 242.16). His general conservatism is indicated by the fact that he regards tobacco as a wrong on a par with drink, drugs, and the like (*ibid.*, 120.4, 217.11, 273.18, 353.11, and cf. 313.17).

¹¹⁵ ʿAbd al-ʿAzīz al-Masʿūd, *Amr*, 529.10. ¹¹⁶ *Ibid.*, 528.12.

¹¹⁷ *Ibid.*, 564.1.

¹¹⁸ *Ibid.*, 562.7. Comparable views are briefly set out by ʿAbd al-Ḥasīb Raḍwān: a woman is obligated, but her sphere is her home (including her husband) and her own sex (*Dirāsāt fī ʿl-ḥiṣba*, Cairo 1990, 31.3, 32.20, 71.2; the author's name is vocalised 'Raḍwān' on the title-page). ʿAlī ibn Ḥasan al-Quranī says that a woman may forbid wrong within limits that do not lead her into anything legally perilous (*Ḥiṣba*, 111.8). Sāmarrāʾī remarks that some scholars have held that a woman may undertake the duty, but omits to name them (*Manābij*, 68.5); he adduces traditions about ʿĀʾisha which would not support the idea of a woman reproving a man outside her immediate family.

What of the role of the state? This has always been a focus of tension, and it has become even more so with the rise of the modern state – under whatever ideological aegis – in the Islamic world. Thus Ḥawwā aptly remarks that the state in our epoch has come to hold sway over everything: education, instruction, the economy, the army, society, politics, intellectual life, culture.¹¹⁹ In some Sunnī countries this has issued in forbidding wrong becoming a function of the state apparatus; this has long been the case in Saudi Arabia,¹²⁰ and more recently such a system has been established in Afghanistan.¹²¹ The Saʿūdī model is not, however, widely discussed outside the kingdom, though it is occasionally mentioned.¹²² Elsewhere there are broadly speaking two very different ways to react to the new salience of the state. One is to give ground and limit the performance of the duty to what modern conditions permit; the other is to capture the state for Islam, if necessary by revolution.¹²³

¹¹⁹ Ḥawwā, *Jund Allāh*, 396.10. Cf. also Maḥmūd, *Uṣūl al-mujtamaʿ al-Islāmī*, 207.10.

¹²⁰ See above, ch. 8, section 4.

¹²¹ The Afghan system is known to me only from reports in the Western press, according to which the Ṭālibān established a ‘Department for the Propagation of Virtue and the Prohibition of Vice’ (or similar title) after their capture of Kabul in 1417/1996 (*New York Times*, 1 October 1996, 1; 29 August 1997, 4; 6 October 1997, 9; some of this material was sent to me by Robert Wisnovsky). According to the second of these reports, the rank and file of the religious police are called ‘mohtasebs’. A photograph that appeared in a Madrid newspaper shows a member of the religious police armed with scissors good-humouredly cutting the fringe of a malefactor with curly hair at a crossroads in Kabul; he was apparently the fifty-seventh offender to get an involuntary haircut that day (‘Flequillos satánicos en Afghanistan’, *El País*, 5 November, 1997, 7, given to me by Maribel Fierro).

¹²² When ʿAwda makes reference to a *hayʾa* in connection with the organisation of *al-amr biʾl-maʿrūf* (*Tashrīʿ*, 1:500.12), it is likely enough that he has the Saʿūdī case in mind. The same is true when Muḥammad ʿAlī Masʿūd, a state-friendly author, calls for the formation of a *hayʾa* of those involved in the *daʿwa* (*Amr*, 94.15). Ibn Ḥājj says that if the government of Algeria were Muslim, it could set up a special police force (*shurṭat al-amr biʾl-maʿrūf*) which would use force; such a police force does not, he continues, exist in any contemporary Muslim state – though by way of exception he makes a dismissive reference to the Ḥijāz (*Amr*, 3:2). It is, of course, no surprise that Abū Bakr Jābir al-Jazāʾirī, who preaches in the Prophet’s mosque in Medina, holds that Q3:104 requires the existence of committees (*hayʾāt*) of *al-amr biʾl-maʿrūf* in all Muslim cities and villages (*Aysar al-tafsīr*, Medina 1994, 1:358.16); in the same way Quranī extols the Saʿūdī system as a model for other Islamic countries (*Hisba*, 719.14, 831.7). But the enthusiastic endorsement of this system by the Egyptian ʿAbd al-Qādir Aḥmad ʿAṭā in the introduction to his edition of Khallāl (*Amr*, 67–9) is unusual in the literature I have consulted. Cf. also the view of the Jordanian Ibrāhīm al-Qaṭṭān (d. 1404/1984) that the special group performing the duty laid down in Q3:104 should be appointed by the ruler (*al-ḥākim*) so that anarchy can be avoided (*Tafsīr al-tafsīr*, Amman 1982–, 1:286.15).

¹²³ I should perhaps also mention in passing the *hisba* procedure that has become notorious in the West through its recent use by Egyptian Islamists seeking to bring about the divorce of Naṣr Ḥāmid Abū Zayd from his Muslim wife on the ground that his views on the Koran constitute apostasy. This procedure is not, however, a form of *al-amr biʾl-maʿrūf* (nor of *hisba* in the sense of the role of the official censor). A *daʿwā hisba* is a suit which someone brings out of concern for God’s rights – or in less theocentric language, the public inter-

We have already encountered the accommodationist reaction in the rewriting of Ghazzālī by the Ottoman Shaykh al-Islām Ḥaydarizāde (d. 1349/1931).¹²⁴ But the characteristic expression of this tendency in the Arab world is the view that carrying out the duty ‘with the hand’ is reserved for those in authority. This idea is not new; but whereas it was rare outside Ḥanafī circles in traditional Islam,¹²⁵ it is significantly more common in modern writings. Perhaps surprisingly, it seems to owe its prominence to Ḥasan al-Bannā (d. 1368/1949). In the years immediately preceding the Second World War, the Muslim Brothers were divided by a dispute over the proper means of moral reform in Egypt; a group which in due course seceded from the movement believed in proceeding ‘with the hand’ in accordance with the ‘three modes’ tradition, whereas Bannā himself inclined rather to the ‘good admonition’ (*al-maw‘iza al-ḥasana*) of Q16:125.¹²⁶ This origin has probably bestowed a certain prestige on an idea which might otherwise have seemed merely time-serving.

As could be expected, this notion is current in Egypt in quarters friendly to the state. Thus it is the main theme of an interview given by the Muftī

est – as opposed to one in which he has a personal stake (see Tyan, *Histoire de l'organisation judiciaire*, 618 no. 1; Gardet, *Cité*, 187 n. 2; Ḥ. al-Labīdī, *Da‘awā ‘l-ḥisba*, Asyūt 1983 (a monographic study); for the sense of *ḥisba* here, cf. above, ch. 16, note 135). The role of the individual in this procedure is essentially to lay testimony before the *qāḍī*, who is then responsible for any commanding or forbidding (cf. *ibid.*, 4.19, 165.14; for a classical use of the phrase *shahādat al-ḥisba*, see Ghazzālī, *Wajīz*, 2:163.15). What this has in common with *al-amr bi’l-ma‘rūf* is the disinterested motivation of the individual who takes action. However, this feature does not make the procedure an aspect of *al-amr bi’l-ma‘rūf*, and accounts of the duty of forbidding wrong do not treat it as such. Modern discussions of the procedure nevertheless make reference to *al-amr bi’l-ma‘rūf*, perhaps by a kind of terminological osmosis (cf. Labīdī, *Da‘awā ‘l-ḥisba*, 44–8, 163.4). The Egyptian Court of Cassation (*Maḥkamat al-naqḍ*) in its decree (*ḥukm*) of 20 Rabī‘ I, 1417/5 August 1996 in the Abū Zayd case included in its discussion of the *da‘wā ḥisba* a paraphrase of the definition of *ḥisba* in terms of *al-amr bi’l-ma‘rūf* with which Māwardī (d. 450/1058) opens his discussion of the censorship (the passage is at 9.10 of the type-written decree, of which I owe my copy to Khaled Fahmy; for Māwardī’s definition, see above, ch. 16, note 134; cf. Labīdī, *Da‘awā ‘l-ḥisba*, 2.6, 51.17). As in the Abū Zayd case, couples deemed not to be legally married are a longstanding target of the procedure (*ibid.*, 4.19, 132.9, 167.10, 201.16; Labīdī gives no extended discussion of this theme).

¹²⁴ See above, ch. 12, 332. For the rewriting of Ghazzālī, see further below, 526f.

¹²⁵ See above, ch. 17, notes 29f.

¹²⁶ R. P. Mitchell, *The Society of the Muslim Brothers*, London 1969, 18, citing ‘Abd al-Khabīr al-Khulī, *Qā’id al-da‘wa al-Islāmiyya Ḥasan al-Bannā*, Cairo 1952, 73.15. In one of his talks, Bannā remarks that righting wrongs ‘with the hand’ (*al-taghyīr bi’l-yad*) is the responsibility of the ruler (*al-hākim al-qādir*) (*Naẓarāt fī iṣlāḥ al-naḥs wa’l-mujtama‘*, recorded by Aḥmad ‘Īsā ‘Āshūr, Cairo 1980, 42.9). This summary observation follows a lively discussion of the verbal performance of the duty (*ibid.*, 41.2), culminating in an anecdote about a Brother who was invited to a party in Ismā‘īliyya; foreigners were present, together with alcohol and other abominations, but the Brother was able to put things right with a relatively mild rebuke to his host (*ibid.*, 41.24). There is no discussion of the question in the talk devoted to *al-amr bi’l-ma‘rūf* in Bannā’s *Ḥadīth al-thulāthā’* (recorded by Aḥmad ‘Īsā ‘Āshūr, Cairo 1985, 119–28).

of the Republic, Muḥammad Sayyid Ṭanṭāwī, in an Egyptian magazine in 1408/1988.¹²⁷ He argues, among other things, that if everyone could right wrongs ‘with the hand’, the result would be anarchy.¹²⁸ (He is, of course, against anarchy: he brings up the awful example of Lebanon.)¹²⁹ It is not that he limits the requisite authority to the state; he himself, for example, has such authority over his children – but not over the children or wives of others.¹³⁰ Confronted with the view that Ibn Taymiyya had approved of performance of the duty ‘with the hand’,¹³¹ the Muftī avers that great scholar to have been innocent of any such thing.¹³² This interview should not be seen in isolation; it clearly reflects a period marked by vigorous polemical exchanges on the issue. Some of these are described by the Azhar scholar ‘Abd al-‘Azīm Ibrāhīm al-Maṭ‘anī, himself a careful critic of the position represented by the Muftī;¹³³ he considers the view that performance ‘with the hand’ is restricted to the authorities to be a recent Egyptian heresy.¹³⁴

The Muftī’s views have also had less exalted adherents. One Aḥmad Ḥusayn tells a story about his youthful involvement in some activity ‘with the hand’ against liquor stores and his subsequent change of heart in prison; the setting is the schism among the Muslim Brothers.¹³⁵ ‘Alī al-Ṭanṭāwī, like his namesake, makes the point that for individuals to take to executing the duty ‘with the hand’ would lead to anarchy.¹³⁶ Other Egyptian writers in this camp are Muḥammad ‘Alī Mas‘ūd¹³⁷ and Yāsir Muḥammad al-‘Adl.¹³⁸ Outside Egypt the same thinking can be found in

¹²⁷ Muḥammad Sayyid Ṭanṭāwī, interview in ‘Šālūn Oktōbir wa-ḥiwār ma’a faḍīlat al-Muftī’, *Oktōbir*, year 12, no. 601, 1 May 1988, 38–40. I am indebted to Emmanuel Sivan for drawing this interview to my attention.

¹²⁸ *Ibid.*, 38d.11. Compare the view of Ḥāfiẓ Wahba (above, ch. 8, note 115).

¹²⁹ *Ibid.*, 39d.6. ¹³⁰ *Ibid.*, 38d.31, 39a.1. ¹³¹ Cf. above, ch. 7, note 60.

¹³² *Ibid.*, 39d.24.

¹³³ Maṭ‘anī, *Taghyyr al-munkar*, esp. 3–8; for his position at the Azhar, see *ibid.*, 80.3. His account makes it clear that the idea of the tripartite division of labour was in the air at the time (*ibid.*, 4.12, 15.11). See further F. Burgat, *L’Islamisme en face*, Paris 1995, 117 n. 8 (this book was drawn to my attention by Maribel Fierro).

¹³⁴ Maṭ‘anī, *Taghyyr al-munkar*, 45.15; he uses the phrase *tafsīr bid’i* in connection with this view, *ibid.*, 15.24.

¹³⁵ Aḥmad Ḥusayn, ‘al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar yajib an yazall dā’iman fī ḥudūd al-ḥikma wa’l-maw’iza al-ḥasana’, *Majallat al-Azhar*, 50 (1398), 742b.4. I owe this reference to the files of the Islām Araştırmaları Merkezi.

¹³⁶ Ṭanṭāwī, *Fuṣūl*, 175.20.

¹³⁷ Muḥammad ‘Alī Mas‘ūd rejects unofficial violence (*Amr*, 20.4, 27.3, 31.7, 76.14; note his partiality for *maw’iza ḥasana*). His book seems still to reflect the conditions of the period in which the Islamists were the allies of President Sādāt against the left.

¹³⁸ Righting wrongs ‘with the hand’ is for those in authority (Yāsir Muḥammad al-‘Adl, *al-Fiḥ al-ghā’ib*, Manṣūra 1993, 280.5). This includes you with respect to your own home, should you find your son in his cups; but as to tipplers over whom you do not have authority, you can only counsel them (cf. above, note 130). ‘Adl also quotes the saying about

Saudi Arabia,¹³⁹ as also in a European setting in the preaching of the Lebanese Shaykh Fayṣal Mawlawī.¹⁴⁰ Action against wrong ‘with the hand’, he says, is only for someone in authority within his proper sphere (*ṣāhib al-sulṭān fī sulṭānihi*); and you are not such a person.¹⁴¹ The Palestinian Darwaza is clearly thinking along the same lines: he ties the role of individuals to ethical and personal matters in which their activity will not lead to anarchy or the like.¹⁴²

This view is both a flagrant divergence from the mainstream of traditional Islamic doctrine and an unmistakable assertion of political quietism. The combination guaranteed that it would not prove generally acceptable in a period of highly politicised Islamic resurgence. Writers with more respect for the heritage, or less respect for existing states, were naturally disinclined to go against the plain sense of the ‘three modes’ tradition. Thus ‘Awda, repeating the standard rejection of the view that the permission of the ruler is required, makes it clear that he believes that individuals have the right to perform the duty ‘with their hands’;¹⁴³ and ‘Amrī takes the position that ordinary people – or at least ordinary men – are entitled to perform the duty by force.¹⁴⁴ But those who reject the view that only the authorities may proceed ‘with the hand’ are not necessarily in favour of violence. Maṭʿanī, who considers the idea to be without foundation and

the tripartite division of labour (*ibid.*, 281.18), but offers no comment on it, and goes on to pile up further restrictions on action ‘with the hand’ (*ibid.*, 282f.). The book is a reaction to the fragmented violence of the Islamist movement in Egypt; ‘Adl has no tolerance for attacks on other Muslims with knives and machine-guns, or for the burning of churches and monasteries (*ibid.*, 271.14). To help the militants look bad, he presents them as a threat to the unity of Islam at the very time when the religion is the object of a world-wide conspiracy to destroy it (*ibid.*, 12.17, and cf. 289.16), and as a disruptive force in a context in which organisation is desperately needed to take action against such major wrongs as the fact that the *sharīʿa* is in abeyance (*ibid.*, 286.15). What a sad contrast the Muslims make to the Jews, every one of whom is fully involved in the Zionist movement, and knows his duty with regard to the state of Israel (*ibid.*, 290.1)! Despite his Muʿtazilite sympathies (see below, note 309, and cf. above, note 45), he quotes a Ḥanbalite condemnation of rebellion with implicit approval (*ibid.*, 269.1); the neo-Muʿtazilites are not the revolutionaries they were a generation ago. Cf. also Gómez García, *Marxismo*, 339.

¹³⁹ ‘Abd al-Raḥmān Ḥasan al-Maydānī, who holds a professorship at the University of Umm al-Qurā in Mecca, expresses similar views (*Fiqh al-daʿwa ilā ʾIlāh*, Damascus 1996, 2:237.15, 242.18, 243.2, with a broad definition of those in authority).

¹⁴⁰ Kepel, *Banlieues*, 261f.

¹⁴¹ Mawlawī, *Amr*, side 2. Mawlawī doubtless derives this view from Ḥasan al-Bannā, to whom he makes frequent references on this cassette.

¹⁴² Darwaza, *al-Taṣfīr al-ḥadīth*, 5:14.18. ¹⁴³ ‘Awda, *Tashrīʿ*, 1:501.1.

¹⁴⁴ ‘Amrī, *Amr*, 297.1, 303.2 (in the latter passage he speaks of *kull rajul*). He quotes, but does not endorse, the saying about the tripartite division of labour (*ibid.*, 296.5). Zaydān is in the same camp as ‘Awda and ‘Amrī in making no move to limit performance ‘with the hand’ to the authorities (*Mufaṣṣal*, 4:364 §3,570), and the same is true of Ilāhī (*Ḥisba*, 80.12).

has no difficulty in proving his point,¹⁴⁵ deplores the waves of terrorism and violence sweeping over Egypt.¹⁴⁶ He eventually makes it clear that, in his view, violence has no part in the performance ‘with the hand’ that is the province of individual subjects;¹⁴⁷ his key argument, or rather assumption, is that the use of violence constitutes punishment (*‘uqūba*), and as such is reserved to the ruler and his subordinates.¹⁴⁸ Khālīd al-Sabt shares with Maṭ‘anī the formal rejection of the view that performance ‘with the hand’ is reserved for the authorities;¹⁴⁹ but in the next breath he speaks only of the action someone might take ‘in his home or his market or the like’.¹⁵⁰ Others compromise in a less subtle way: they make the point that proceeding ‘with the hand’ is in the first instance a duty for the authorities, but do not exclude ordinary individuals from it.¹⁵¹ They may also employ a very broad notion of who the authorities are. One such author, in a modern commentary on the forty traditions of Nawawī (d. 676/1277), includes those in charge of schools, factories and offices; someone in charge of a school is in a position to stamp out indecorous songs (*al-aghānī al-mājina*), while someone in charge of a factory or office can stop employees wasting time.¹⁵² Looming behind this whole discussion of performance ‘with the hand’ is the appeal of the ‘three modes’ tradition to revolutionary fundamentalists.¹⁵³

More direct indications of the attitudes of modern writers towards the use of violence in forbidding wrong can often be gleaned from their reactions to Ghazzālī’s views on the subject. Several are clearly embarrassed.

¹⁴⁵ Maṭ‘anī, *Taghīyir al-munkar*, 15.8. Maṭ‘anī returns to this battleground repeatedly in the rejoinders to a literary antagonist reprinted in the volume. ¹⁴⁶ *Ibid.*, 9.2.

¹⁴⁷ *Ibid.*, 112.5, and cf. 32.12, 107.16, 117.10.

¹⁴⁸ *Ibid.*, 112.10, and cf. 116.7. Whatever its political merits, this assumption seems as ill-founded as the view he is attacking: obviously violence is sometimes used as a punishment, but why should this always be the case? The whole tract is an instructive example of an Azhar scholar attempting to position himself in the moral and political force-field of Mubārak’s Egypt. ¹⁴⁹ Sabt, *Amr*, 331.13. ¹⁵⁰ *Ibid.*, 331.14.

¹⁵¹ Zaydān, *Uṣūl al-da‘wa*, 455 §587; Khālīd al-Bayṭār, *al-Bayān fī sharḥ al-Arba‘in al-Nawawīyya*, Zarqā’ 1987, 207.11; similarly Maḥmūd (*Uṣūl al-mujtama‘ al-Islāmī*, 202.3, but contrast *ibid.*, 202.24). Cf. the view of Ibn Taymiyya, above, ch. 7, 155.

¹⁵² Bayṭār, *al-Bayān fī sharḥ al-Arba‘in*, 207.13. A comparable attitude towards such intermediate authorities is taken by Mawlawī in the context of the factory (see his remarks quoted in Kepel, *Banlieues*, 262; and cf. above, note 139, on Maydānī). Ibn Ḥājj, by contrast, is asked about a man who works in an agricultural market (*sūq al-fallāḥ*), where he seeks to right such wrongs as the mixing of men and women; the man in charge (*mas’ūl*) tells him that this is not his job, and is on the point of punishing him. Ibn Ḥājj’s response is that he should pay no attention to the manager (*mudīr*) and persist; it is God who provides the means of subsistence (*arzāq*) (*Amr*, 7:1).

¹⁵³ Sivan, *Radical Islam*, 117, citing esp. S. E. Ibrahim, ‘Islamic militancy as a social movement: the case of two groups in Egypt’, in A. E. H. Dessouki (ed.), *Islamic resurgence in the Arab world*, New York 1982, 127; cf. also Burgat, *L’Islamisme en face*, 118, and ‘Umāra, *al-Islām wa-ḥuqūq al-insān*, 94.18.

Thus Jamāl al-Dīn al-Qāsimī in his epitome of Ghazzālī's *Revival of the religious sciences* omits the last three of Ghazzālī's levels of performance, and limits the fifth to officialdom when it involves the destruction of offending objects.¹⁵⁴ A similarly queasy response to Ghazzālī's attitude to armed conflict is that of a certain Ṣāliḥ Aḥmad al-Shāmī, who in his epitome of Ghazzālī's work discreetly omits to mention such conflict, not to speak of armed bands.¹⁵⁵ Khālīd al-Sabt lists Ghazzālī's levels,¹⁵⁶ and gives a few pages each to the first two; but thereafter he tacitly forgets them, turning instead to the 'three modes'.¹⁵⁷ The many examples of performance 'with the hand' that he proceeds to give convey the message that it consists of violence directed against things (breaking and pouring) rather than people.¹⁵⁸ He has thus spared himself the awkwardness of confronting Ghazzālī's more aggressive levels of performance; and with regard to recourse to arms, he offers only the passing remark that more than one scholar has made this conditional on the ruler's permission.¹⁵⁹ A similar strategy is adopted by another Sa'ūdī, 'Abd al-'Azīz al-Mas'ūd: his account of the levels simply drops those involving violence to the person,¹⁶⁰ and restricts performance 'with the hand' to objects;¹⁶¹ he requires the permission of the ruler for recourse to arms.¹⁶²

Others, within limits, are more comfortable with Ghazzālī's approach. Thus 'Amrī approves the use of force,¹⁶³ but dislikes the idea of armed bands.¹⁶⁴ 'Awda in his discussion of the use of violence follows Ghazzālī without flinching, even espousing his views of armed conflict and armed bands,¹⁶⁵ though he does adopt Ghazzālī's position that the subject may not use violence against the ruler.¹⁶⁶ Some recent figures lack even these inhibitions. Thus Ḥawwā strongly endorses Ghazzālī's views on

¹⁵⁴ Qāsimī, *Maw'izāt al-mu'minīn*, 246.18. (Ghazzālī's fifth level is the fourth in Qāsimī's numbering.)

¹⁵⁵ Ṣāliḥ Aḥmad al-Shāmī, *al-Muḥadḍḥab min Iḥyā' 'ulūm al-dīn*, Damascus and Beirut 1993, 1:474.10; similarly Bayānūnī, *Amr*, 50.6.

¹⁵⁶ Sabt, *Amr*, 316.2 (he comes up with ten levels). ¹⁵⁷ *Ibid.*, 323.4.

¹⁵⁸ As *ibid.*, 328.5. ¹⁵⁹ *Ibid.*, 332.9. ¹⁶⁰ 'Abd al-'Azīz al-Mas'ūd, *Amr*, 519–26.

¹⁶¹ *Ibid.*, 511.12.

¹⁶² *Ibid.*, 205.7, claiming Ghazzālī's authority for this. In a discussion independent of Ghazzālī's, he makes it clear that the use of violence is excluded in normal circumstances where the ruler has set up an effective committee (*hay'a*) to discharge the duty (*ibid.*, 104 no. 3). Qurānī, who is well disposed towards the Sa'ūdī state, takes Ghazzālī's series no further than blows, and in any case denies this option to the individual forbidded of wrong (*Ḥisba*, 256.10). For an author using Ḥanbalite sources, a good way to avoid confronting Ghazzālī's views on violence is to rely on the bowdlerised version of Ibn Qudāma's epitome of Ibn al-Jawzī's *Minhāj al-qāṣidīn* (cf. above, ch. 6, 139–41; for an example, see Raḍwān, *Dirāsāt fī l-ḥisba*, 60.5).

¹⁶³ See above, note 144. ¹⁶⁴ 'Amrī, *Amr*, 309.13; cf. above, ch. 16, 441.

¹⁶⁵ 'Awda, *Tashrīc*, 1:507.19, 508.15; cf. above, ch. 16, 441.

¹⁶⁶ *Ibid.*, 509.22; cf. above, ch. 16, notes 33f.

violence.¹⁶⁷ Ibn Ḥājj quotes Ghazzālī's passage on armed bands with obvious relish, as also the denunciation of the quietist traditionists by Jaṣṣāṣ.¹⁶⁸

Against this background, it must seem paradoxical that it is precisely one of the most radical of fundamentalist visions that has gone farthest in modern times towards voiding the duty of the individual to forbid wrong. When Sayyid Quṭb comments on Q3:104, he seems almost to deny the existence of this duty: 'commanding' and 'forbidding' are things only someone in authority (*dhū sulṭān*) can do, and accordingly we need an authority (*sulṭa*) to perform the duty.¹⁶⁹ This authority would seem to be the Muslim community;¹⁷⁰ there is no mention of the Muslims as individuals. But it is not until he comments on Q5:79 that we learn what has become of the duty of the individual. Here Quṭb remarks, promisingly, that the Muslim community is one in which no one who sees another act wrongly can say 'What's that to me?'¹⁷¹ But there is a catch. A Muslim society is indeed one that enables a Muslim to devote himself to forbidding wrong, without his attempts being reduced to pointless gestures or made impossible altogether as is the case in the Jāhilī societies that exist today. The real task is thus to establish the good society as such, and this comes before the righting of small-scale, personal and individual wrongs (*iṣlāḥāt juz'īyya, shakhṣīyya wa-fardiyya*) by way of forbidding wrong; such efforts are vain when the whole society is corrupt.¹⁷² All the sacred texts bearing on forbidding wrong, he argues, concern themselves with the duty of the Muslim in a Muslim society.¹⁷³ Thus in commenting on Q9:112, Quṭb invokes the early history of the Muslim community in

¹⁶⁷ Hawwā, *Jund Allāh*, 386.8; and cf. *ibid.*, 382.1, and above, note 77.

¹⁶⁸ Ibn Ḥājj, *Amr*, 6:2; cf. above, ch. 12, 336f. Unfortunately his views on performance 'with the hand' are on cassette 5 (see *ibid.*, 6:1). Cf. also above, notes 86f.

¹⁶⁹ Quṭb, *Fi zilāl al-Qur'ān*, 444.5, noted in O. Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Quṭb, Frère musulman radical*, Paris 1984, 193.

¹⁷⁰ Quṭb, *Fi zilāl al-Qur'ān*, 444.24, 444.29, 445.10, 445.16; and cf. his *Ma'ālim fi 'l-tariq*, n.p. n.d., 148.15 (quoting Q3:110). The language does not explicitly speak of an Islamic state, but it is doubtless what he has in mind.

¹⁷¹ Quṭb, *Fi zilāl al-Qur'ān*, 949.3; cf. Carré, *Mystique et politique*, 211.

¹⁷² Quṭb, *Fi zilāl al-Qur'ān*, 949.10. He repeats this message more than once in the next two pages, and again in commenting on Q9:112 (*ibid.*, 1720.1). Compare the deferral of the duty till the coming of the imam in the Sunnī caricature of the Imāmī view (see above, ch. 11, note 116).

¹⁷³ *Ibid.*, 949.28. He gives the example of the tradition on speaking out in the presence of an unjust ruler, here referred to as an imam: an imam is a ruler who accepts the authority of God and His law – otherwise he is simply an infidel ruler. Other writers, by contrast, invoke this or similar traditions in support of heroism ('Amrī, *Amr*, 260–4, quoting the tradition at 262.4; Rāshid, *Muntalag*, 229.10, quoting a *fatwā*; 'Abd al-Sattār, *Amr*, 25.9, in a discussion making it clear that this relates only to exceptional circumstances; and cf. 'Umāra, *al-Islām wa-ḥuqūq al-insān*, 95.4, and Ibn Ḥājj, *Amr*, 7:2).

support of his view: the followers of the Prophet first devoted their efforts to establishing the Muslim state and society, and only then turned to forbidding wrong in secondary matters.¹⁷⁴ It is noteworthy that this rationale of Quṭb for voiding forbidding wrong in the present is very much his own. Thus he does not invoke the authority of the eschatological traditions that foretell such a time.¹⁷⁵ He does at one point make use of the notion of performance in the heart,¹⁷⁶ but it plays no central role in his argument.

Although it is known to have been current among the followers of Quṭb, this renunciation has not become standard fundamentalist doctrine. Thus Rāshid, after quoting Quṭb's commentary to Q9:112, feels compelled to add that this does not mean that missionaries (*du'āt*) should not instruct themselves and their followers in their Islamic duties, or that they should abstain from forbidding the kind of secondary wrongs that can in fact be stopped.¹⁷⁷ Mawlawī takes the view that in a non-Islamic society – particularly in Europe – it is utterly inappropriate for us to cut off relations with (Muslim) offenders, since all it does is to isolate us; instead we should persist, warning them once, twice, thrice, even ten times.¹⁷⁸ Ibn Ḥājī does not mention Quṭb, but he makes a point of identifying many of the Koranic verses he discusses as Meccan;¹⁷⁹ he asks rhetorically if the Prophet told his followers to be silent and abstain from performing the duty till they were established in Medina, and goes on to reject the idea that one can do away with forbidding wrong on the pretext that we do not live in an Islamic state (*dawla Islāmiyya*).¹⁸⁰ The activist tinge of this passage is likely to reflect his role as a populist leader in a revolutionary situation: he strongly endorses

¹⁷⁴ Quṭb, *Fi ḡilāl al-Qur'ān*, 1720.7. ¹⁷⁵ Cf. above, ch. 3, 39–42.

¹⁷⁶ *Ibid.*, 951.18. He stresses that such performance is a positive, not a negative stance, because it creates the mental prerequisite for action when the time comes; but he seems not to conceive of it as having any outward behavioural manifestations. Some modern Sunnī writers, by contrast, tend to emphasise such manifestations (Jamāl al-Dīn al-Qāsimī (d. 1332/1914), *Iṣlāḥ al-masājīd*, Beirut and Damascus 1983, 32.7 (this work was drawn to my attention by Maribel Fierro); 'Awda, *Tashrī'*, 1:497.14; Taṇṭāwī in 'Šālūn Oktōbir wa-ḥiṡwār ma'a faḡīlat al-Mufṡī', 39b.6; Muḡammad 'Alī Ma'sūd, *Amr*, 31.1; Sāmarrā'ī, *Manāḥij*, 66.15); but others seem to have in mind a purely mental act ('Amrī, *Amr*, 284–7, esp. 286.12; Maḡmūd, *Uṣūl al-muḡtama' al-Islāmī*, 203.16; Zaydān, *Mufaṣṣal*, 4:364f. §3,572, 366 §3,576).

¹⁷⁷ Rāshid, *Munṭalaq*, 202.14; similarly Yāsīn, *Jihād*, 182.18.

¹⁷⁸ Mawlawī, *Amr*, side 2.

¹⁷⁹ This is not a traditional concern of the scholars (for an exception, see above, ch. 4, note 12), but it has a modern precedent in Rashīd Riḡā (*Tafṡīr al-Manār*, 9:534.18 (to Q7:199), 535.7 (regarding Q31.17)). Riḡā's motive in making the point is, however, quite different.

¹⁸⁰ Ibn Ḥājī, *Amr*, 1:2; for *al-amr bi'l-ma'rūf* in Mecca, see also *ibid.*, 4:1. For an approving reference to Quṭb in a different context, see *ibid.*, 7:2. Compare also 'Amrī, *Amr*, 127.1, 278.3, 282.9.

heroism,¹⁸¹ and directs himself to a youth that is zealous in performing the duty and needs only to be instructed in its principles.¹⁸² Even Ibn Ḥājj does not always speak with this voice.¹⁸³ But Khālīd al-Sabt, who is not a radical,¹⁸⁴ reacts to Quṭb's position in much the same way,¹⁸⁵ lots of wrongs, he points out, can be dealt with perfectly well even in the absence of an Islamic state.¹⁸⁶

3. DEVELOPMENTS IN IMĀMĪ SHĪ'ISM

According to Ibn Ḥājj, some of the Shī'a – he specifies the Imāmiyya – believe that forbidding wrong is not obligatory in the absence of an imam; he refutes them effortlessly by quoting Ghazzālī.¹⁸⁷ His Egyptian contemporary Aḥmad Ḥijāzī al-Saqqā is better informed. In the course of editing the commentary of a certain Abū Bakr ibn Maymūn on a work by Juwaynī (d. 478/1085), he comes upon a condemnation of the view of some of the Rawāfiḍ that the duty is suspended until the manifestation of the imam.¹⁸⁸ He begins his footnote to this by identifying the Rawāfiḍ as the Shī'a, and goes on to observe that in our time the Shī'a do not adhere to this position, but call people to forbid wrong. He explains that after the

¹⁸¹ Ibn Ḥājj, *Amr*, 7:2, dwelling on appropriate quotations from Ibn al-ʿArabī (d. 543/1148) (see above, ch. 14, note 59) and Ghazzālī (see above, ch. 16, 433 case (4)).

¹⁸² *Ibid.*, 4:1, 6:1, 7:1. Note in this connection his remarks to the effect that temporary marriage (*zawāj al-mutʿa*) is a matter on which there is disagreement, and cannot therefore be the target of the duty (*ibid.*, 4:2; for reports that this was permitted by Mālik ibn Anas (d. 179/795), see A. Gribetz, *Strange bedfellows: mutʿat al-nisāʾ and mutʿat al-ḥajj*, Berlin 1994, 111f.).

¹⁸³ In an article reflecting the changed atmosphere following the local elections held in Algeria in 1410/1990, Ibn Ḥājj strongly condemns hotheaded activism (ʿIjādat al-taḥbīr fī bayān qawāʿid al-taghyīr, *al-Munqidh*, 5 Dhū ʿl-Hijja, 1410, 9–11). That this marks a change of tune is confirmed by the reaction of a moderate Salafī a couple of numbers later, in effect welcoming Ibn Ḥājj back to the (politically marginalised) Islamist mainstream (Yaḥyā Muḥammad, ʿNazarāt fī mawqūʿ qawāʿid al-taghyīr lil-shaykh ʿAlī ibn Ḥājj, *al-Munqidh*, 4 Muḥarram, 1411, 20; I am grateful to Abdeslam Maghraoui for explaining the political background to me). However, most of the arguments deployed here by Ibn Ḥājj owe nothing to the eccentric ideas of Quṭb (nor to Bannā). He stresses the need for knowledge of the law, for a reckoning of costs and benefits, for experts to determine the priorities, for doing it nicely, and the like; and he is very explicit in noting the failings of Muslim youth (ʿIjāda, cols. 9e.33, 11e.7, 11e.13). There is, nevertheless, a clear echo of Quṭb in his argument that most behavioural wrongs are manifestations of the more fundamental wrong of recognising norms other than God's, and that it is here that we should begin (*ibid.*, 10e.44; cf. above, note 172); he adds that Muslim youth who dissipate their energies on such behavioural wrongs are falling into a trap set by the political authorities.

¹⁸⁴ For his rejection of rebellion, on utilitarian grounds, see Sabt, *Amr*, 235.6; and see above, notes 156–9.

¹⁸⁵ *Ibid.*, 261.1 (stating Quṭb's position); *ibid.*, 261.17 (his reply). Like Ibn Ḥājj, he leaves Quṭb unnamed. ¹⁸⁶ *Ibid.*, 263.4.

¹⁸⁷ Ibn Ḥājj, *Amr*, 3:2; similarly Maṭʿanī, *Taghyīr al-munkar*, 113.22. Cf. above, ch. 11, note 116. ¹⁸⁸ Abū Bakr ibn Maymūn, *Sharḥ al-Irshād*, 605.17.

Shāh of Iran (Muḥammad Riḍā Pahlawī, ruled 1360–98/1941–79) sided with America, and spread corruption among the population by introducing American-style cinema and television, Khumaynī (d. 1409/1989) arose. He still prevails despite the war being waged on Iran by the Ba‘thist secularists of Iraq; the Ba‘thists are of course inspired by the Americans, who fear that Khumaynī may become the caliph of Shī‘ites and Sunnīs alike.¹⁸⁹ This account may not have been a sophisticated piece of political analysis, but it correctly identifies two major features of the recent Imāmī development of forbidding wrong: enthusiasm for revolutionary politics and hostility to cultural pollution. Both are familiar from the Sunnī experience.

In the early decades of the Western impact on Iran, such an evolution might have seemed unlikely. What we find is rather the same lax syncretism that we saw on the Sunnī side. Initially this is the work of laymen. A fine early example is a brief account of freedom of expression given by Mīrzā Yūsuf Khān Mustashār al-Dawla (d. 1313/1895f.). He states that resistance to oppression (*mudāfa‘a-i zulm*) is a law (*qānūn*) in Europe (*Farangistān*), which explains European prosperity; this value is also enjoined in several passages of the Koran, of which the first he quotes is Q3:104.¹⁹⁰ One of the benefits of this law, he continues, is that freedom of expression (*ikhtiyār wa āzādī-i zabān wa qalam*) has become prevalent. This law too, he states, is in accordance with the law (*qānūn*) of Islam, and he proves his point by quoting one of the accounts of forbidding wrong given by Ṭūsī (d. 460/1067).¹⁹¹ He then goes on to freedom of the press, and remarks that some aspects of this fall within the scope of forbidding wrong. He adds that in Paris there are a hundred presses and six hundred book shops.¹⁹² The same idea appears in a discussion of ‘freedom of speech and pen’ by Mīrzā Malkum Khān (d. 1326/1908).¹⁹³ This very freedom,

¹⁸⁹ *Ibid.*, 605 n. 1 (the book was published in Egypt in 1407/1987). For Sunnī sympathy for the Iranian revolution and its limits, see E. Sivan, ‘Sunni radicalism in the Middle East and the Iranian revolution’, *International Journal of Middle East Studies*, 21 (1989); W. Buchta, *Die iranische Schia und die islamische Einheit 1979–1996*, Hamburg 1997, 227–34 (this study was drawn to my attention by Houchang Chehabi).

¹⁹⁰ Mīrzā Yūsuf Khān Mustashār al-Dawla (d. 1313/1895f.), *Yak kalima*, ed. Ṣ. Sajjādī, Tehran 1364 sh., 32.5, cited in A. Hairī, *Shī‘ism and constitutionalism in Iran*, Leiden 1977, 34f. (and see *ibid.*, 30f., for the career of this reformist official); the work is dated 1287/1871 (*Yak kalima*, 61.6).

¹⁹¹ Yūsuf Khān, *Yak kalima*, 33.4; cf. Ṭūsī, *Nibāya*, 299.8.

¹⁹² Yūsuf Khān, *Yak kalima*, 34.1.

¹⁹³ Mīrzā Malkum Khān (d. 1326/1908), *Nidā-yi ‘adālat ba-majlis-i wuzarā-yi Īrān*, in *Majmū‘a-i āthār-i Mīrzā Malkum Khān*, collected by M. M. Ṭabātabā‘ī, Tehran 1327 sh., 206–8 (cited in Hairī, *Shī‘ism and constitutionalism*, 35 n. 97). The tract dates from 1323/1905 (see *Nidā-yi ‘adālat*, 194.2, and H. Algar, *Mīrzā Malkum Khān*, Berkeley 1973, 245–7), shortly before the Constitutional Revolution.

he says, which all civilised nations recognise as fundamental, is one which Muslims have established for the whole world in the two phrases ‘commanding right’ and ‘forbidding wrong’. What positive law (*qānūn-i dawlatī*) has proclaimed this freedom more explicitly?¹⁹⁴ The Constitutional Revolution of 1324/1906 was likewise defended in terms of forbidding wrong.¹⁹⁵ Such thinking still continues. Recently the dissident cleric Ḥusayn-‘Alī Muntazirī is reported to have issued a responsum calling for the formation of political parties in Iran as a modern way to apply the principle of forbidding wrong.¹⁹⁶ In all these cases the motivation of the syncretism is to render a Western idea acceptable in a Muslim context; but just as among the Sunnīs, we also find the same device used to defend Islam against the charge of deficiency. Thus when the Iraqi clergyman Muḥammad Bāqir al-Ḥakīm wishes to argue the superiority of Islam in providing guarantees (*ḍamānāt*) of human rights, he quotes Koranic verses on forbidding wrong.¹⁹⁷

Among the Imāmīs, as among the Sunnīs, the resurgence of Islam as a political doctrine in a modern setting has been a development of the last two generations. But whereas in the Sunnī case the revival has throughout been primarily the work of laymen, this has not been so for the Imāmīs. There have certainly been laymen who have concerned themselves with such matters: ‘Alī Sharī‘atī (d. 1397/1977) is an obvious example.¹⁹⁸ At least one layman, Mahdī Bāzargān (d. 1415/1995), was involved in the rethinking of the duty of forbidding wrong at an early stage.¹⁹⁹ But the

¹⁹⁴ Malkum Khān, *Nidā-yi ‘adālat*, 207.18.

¹⁹⁵ Haiiri summarises the views of a cleric who defends constitutionalism in this way (*Shī‘ism and constitutionalism*, 100); and see Āghā Buzurg, *Nuqabā’ al-bashar*, 568.14, for another instance.

¹⁹⁶ This report appeared in the London newspaper *al-Hayāt*, 25 November 1997, 6c, in the last paragraph of the news item on Iran.

¹⁹⁷ Muḥammad Bāqir al-Ḥakīm, ‘Huqūq al-insān min wijhat nazar Islāmiyya’, in *Huqūq al-insān fi ‘l-Islām: maqālāt al-Mu’tamar al-khāmis lil-fikr al-Islāmī*, Tehran 1987, 339.14. Cf. also Murtaḍā Muṭahharī (d. 1399/1979), *Jihād*, Qumm n.d., 42.12.

¹⁹⁸ See S. Akhavi, ‘Shariati’s social thought’, in N. R. Keddie (ed.), *Religion and politics in Iran*, New Haven and London 1983, 133f. Sharī‘atī’s discussion of *al-amr bi’l-ma‘rūf* in his *Shī‘a* (n.p. 1362 sh. (= *Majmū‘a-i āthār*, vol. 7), esp. 68–76) has themes also found on the clerical side (see below, notes 239, 329, 333).

¹⁹⁹ Mahdī Bāzargān (d. 1415/1995), *Marz-i miyān-i dīn wa siyāsāt*, Tehran 1341 sh., 39.5, 40.1, 40.9 (placing the duty in a context of modern oppositional politics); see H. E. Chehabi, *Iranian politics and religious modernism*, Ithaca 1990, 57 (this book provides extensive discussion of Bāzargān’s ideas and politics). Akhavi suggests that it was laymen who rediscovered the political potential of *al-amr bi’l-ma‘rūf* (S. Akhavi, *Religion and politics in contemporary Iran*, Albany 1980, 120). However, the chronological data available to me would not establish this. Bāzargān’s *Marz* was published at the end of 1962 or the beginning of 1963 (Daymāh 1341 sh.). Two clerics had already given relevant talks devoted to *al-amr bi’l-ma‘rūf* in 1960 (1339 sh.), later published in *Guftār-i māh* (for Muṭahharī’s talk see above, ch. 11, note 298; for Āyatī’s, see below, note 208; for this

events of the Islamic revolution of 1399/1979, and the subsequent consolidation of the clerical regime, have tended to eclipse lay thinkers. It is the role of the clerics, and the continuing vitality of their literary tradition, that distinguishes and dominates the Imāmī development.

The Imāmī clerics have reshaped their doctrine of forbidding wrong in two major respects. Roughly speaking, one concerns the process by which they eventually came to power, and the other the manner in which they now exercise it. We may consider each in turn.

The traditional Imāmī doctrine of forbidding wrong displayed a marked political quietism on two points. One was the danger condition, which in its Imāmī version voided not only the duty to proceed but also the virtue of doing so. The other was the requirement that the imam give permission for any serious recourse to violence. Recasting the Imāmī heritage as an ideology of political revolution was likely to put some strain on the traditional doctrine at both these points.

The best starting-point with regard to the danger condition is an account of forbidding wrong written by Khumaynī himself.²⁰⁰ The framework of the account is provided by a set of brief and unremarkable general statements of doctrine; each such passage is followed by a string of specific points, most of them of no particular political significance. The presentation of the danger

series of talks, see Chehabi, *Iranian politics*, 170–2). And in the same month that Bāzargān published his *Marz*, Muḥammad Bihishti (d. 1401/1981) briefly discussed *al-amr bi'l-ma'rūf* in an equally untraditional way in his 'Rūḥānīyat dar Islām wa dar miyān-i Muslimīn', in Muḥammad Husayn Ṭabāṭabā'ī *et al.*, *Baḥthi dar bāra-i marja'iyat wa rūḥānīyat*, n.p. n.d., 160.9 (this second printing of the work notes that the first appeared in Daymāh 1341 sh.; for Bihishti's contribution to the volume, see A. K. S. Lambton, 'A reconsideration of the position of the *marja' al-taqlid* and the religious institution', *Studia Islamica*, 20 (1964), 129–31). Moreover, clerical writing about *al-amr bi'l-ma'rūf* in a modern vein seems to go back considerably before this period. While there is no hint of it in the treatment of *al-amr bi'l-ma'rūf* by the early Shī'ite modernist Khāraqānī (d. 1355/1936) (see his *Maḥw al-mawḥūm*, n.p. 1379, 372–5), it is already apparent in the title of Luṭf Allāh Šāfi Gulpāyagānī's *Rāh-i iṣlāḥ yā amr bah ma'rūf wa nahy az munkar*, Qumm 1376 sh.; the work was mostly written at the beginning of 1369/1949, and completed in 1369/1950 (see *ibid.*, 108.5, and cf. 90.2). The theme of this short popular work is that *al-amr bi'l-ma'rūf* is the solution to the problem of the decline and backwardness of the Muslim world (see esp. *ibid.*, 6.17).

²⁰⁰ Khumaynī, *Tahrīr*, 1:462–84 (cf. K.-H. Göbel, *Moderne Schiitische Politik und Staatsidee*, Opladen 1984, 188–92). The work is a commentary on the *Wasīlat al-naǧāt* of Abū 'l-Ḥasan al-Iṣfahānī (d. 1365/1946) (for which see Modarressi, *Introduction*, 58 no. (xi), 94); the *Wasīla*, however, contains no treatment of *al-amr bi'l-ma'rūf*, so that Khumaynī at this point is on his own. There is an article in Japanese on the modern development of the doctrine of *al-amr bi'l-ma'rūf* among the Imāmīs (K. Nakata, 'Shīa-ha hōgaku ni okeru "Zen no meirei to aku no soshi" riron no hatten to Homeni ni yoru sono kaikaku', *Annals of Japan Association for Middle East Studies*, 12 (1997)); from its references to primary sources, it appears to be well informed (I am indebted to Etan Kohlberg for bringing this article to my attention, and to Yasuko Makino for transcribing the title for me).

condition initially conforms to this pattern.²⁰¹ Much of what is said is fully compatible with the traditional doctrine. Thus one of the points made is that the prospect of any significant harm (*ḍarar*) to the performer or those associated with him voids the obligation,²⁰² while another is that if he fears for his life or honour, or those of other Muslims, it is forbidden to him to proceed.²⁰³ But in the middle of this generally familiar scholastic material we come upon a jarring block of fourteen points which transparently relate to a contemporary political context, the confrontation between Khumaynī and the Shāh.²⁰⁴ Many of these points do not in fact relate to forbidding wrong in any obvious way, but rather prescribe the boycotting of religious institutions controlled by the regime. The first six points are the ones that concern us. Taken together, they enunciate the doctrine that there is a category of wrongs of such relative weight (*ahammīyya*)²⁰⁵ that the obligation to right them overrides the danger condition, particularly for the clergy (*‘ulamā’ al-dīn wa-ru’asā’ al-madhhab*); typically such wrongs involve some threat to the very basis of Islam.²⁰⁶ This new doctrine is inserted without any attempt to integrate it with the old.²⁰⁷

²⁰¹ Khumaynī, *Tahrīr*, 1:472–6. The term used by Khumaynī is *mafsada*.

²⁰² *Ibid.*, 472 no. 1.

²⁰³ *Ibid.*, 472 no. 4. Khumaynī goes on to make distinctions regarding harm to property (cf. above, ch. 11, note 280).

²⁰⁴ *Ibid.*, 472–5 nos. 6–19 (there is more material of this kind in the discussion of the three modes, esp. *ibid.*, 477 nos. 3–6, but it lacks doctrinal interest). Khumaynī mentions in the preface to the *Tahrīr* that he worked on the book after he was banished from Qumm in 1384/1964 and came to Bursa as a result of distressing events which history would perhaps record (*ibid.*, 4.5) – as indeed it did (see, for example, S. Bakhsh, *The reign of the Ayatollahs*, New York 1990, 24–35). Already in the previous year he had enunciated a version of his new doctrine in the context of his struggle with the Shāh: given the way in which the regime was attacking the fundamentals of Islam, *taqiyya* was forbidden, whatever the consequences (*wa-law balagha mā balagha*) (Markaz-i Madārik-i Farhangī-i Inqilāb-i Islāmī, *Ṣaḥīfa-i nūr: majmū‘a-i rāhnamūd-bā-yi imām Khumaynī*, Tehran 1361–9 sh., 1:40.5).

²⁰⁵ Khumaynī uses this concept elsewhere in his discussion of the duty in contexts that are not politically loaded (see, for example, *Tahrīr*, 1:464 nos. 9f., 467–9 nos. 4, 7, 16). It was of course no invention of his; see, for example, ‘Alī al-Mishkīnī al-Ardabīlī, *Muṣṭalahāt al-uṣūl*, Qumm 1383, 88.9 (on the role of *ahammīyya* in deciding which of two conflicting legal provisions overrides the other); Muḥammad Riḍā al-Muẓaffār, *Uṣūl al-fiqh*, Najaf 1959–62, 3:186.16 (the principle), 189.11 (listing some considerations that take precedence, including the safeguarding of Islamic territory and the preservation of life).

²⁰⁶ All but the first of these points also specify that this duty of the religious leaders to speak out overrides the efficacy condition (Khumaynī, *Tahrīr*, 1:473 nos. 7–11). It is typical of the lack of systematic integration of the new doctrine into the old that no hint of this is given in the discussion of the efficacy condition itself (*ibid.*, 467–70).

²⁰⁷ This is likewise true of the account of *al-amr bi’l-ma‘rūf* in the appendices to Khumaynī (d. 1409/1989), *Risāla-i tawḍīḥ al-masā’il*, Tehran 1399, 573–81 (for the danger condition, see *ibid.*, 584.11; for the new doctrine, *ibid.*, 574f. nos. 2, 792–6). An innovative, though secondary, feature of this work is its very inclusion of *al-amr bi’l-ma‘rūf*; according to Āyatullah Maḥfūzī, it was the first work of this title to cover the topic, whence the

Khumaynī was not alone among the major scholars of his generation in qualifying the danger condition. Kāzīm Shari‘atmadārī (d. 1406/1986) holds that what the condition excludes is suffering harm over and above the intrinsic inconveniences of performing the duty, and on a scale that outweighs the utility of the initiative; it is not every kind of harm that voids the duty.²⁰⁸ Abū ‘l-Qāsim al-Khū‘ī (d. 1413/1992), after stating the danger condition in the usual way,²⁰⁹ makes a rather clumsy addition in which he says that – provided the efficacy condition is satisfied – what has to be considered is the relative weight (*ahammīyya*) of the two considerations; forbidding wrong could thus be obligatory even with actual knowledge of consequent harm.²¹⁰ Khwānsārī (d. 1405/1985) remarks that it may be said that some wrongs are not such that they are not to be forbidden just because of bearable harm of whatever kind; that he means that there could be an actual obligation to forbid them despite such harm is indicated by the parallel he adduces from the duty of pilgrimage, which in the past was not voided by virtue of the protection money (*ukhuwwa*) that used to be levied on the pilgrims.²¹¹ Muḥammad Ḥusaynī Shīrāzī in a short treatment of the duty states that the condition is overridden when Islam is in danger.²¹² In a longer account, he adds a distinction between much and little harm. He takes the view that much harm voids the duty unless Islam is in danger; such a threat can be to the fundamental beliefs of the religion or to public morals.²¹³

treatment of its possession as a crime by Savak (anon., ‘Guzārishī az simīnār-i amr bah ma‘rūf wa nahy az munkar dar Dānishgāh-i Tihārān’, in *Risālat, pīsh shumāra* 3, 12 Abān, and *pīsh shumāra* 4, 23 Abān, 1364 sh., here 12 Abān, 4a.27). The work did not, however, originally include this section; it is not found in the printing of 1342 sh. Cf. also H. Dabashi, *Theology of discontent: the ideological foundations of the Islamic revolution in Iran*, New York and London 1993, 455, citing a brief responsum of Khumaynī’s dated 1391/1971.

²⁰⁸ Ibrāhīm Sayyid ‘Alawī, *Nizārat-i ‘umūmī-i Islāmī*, Tehran 1347 sh., 130.11, 131.7. The ‘author’ of this little work explains rather belatedly in a postscript that it is a record of lectures given by Shari‘atmadārī in Qumm (*ibid.*, 143). For a rather similar view, see Muḥammad Ibrāhīm Āyatī (d. 1384/1964), ‘Amr bah ma‘rūf wa nahy az munkar’, *Guftār-i māh*, 1 (1339–40 sh.), Tehran n.d., 53.10, 53.22 (in a talk given in 1339 sh./1960, see *ibid.*, 42.1). ²⁰⁹ Khū‘ī, *Minhāj*, 7:150.5.

²¹⁰ *Ibid.*, 151.2. Note that the identical text appears, but without the addition, in the work of the same title by Muḥsin al-Tabāṭabā‘ī al-Ḥakīm (d. 1390/1970) (*Minhāj al-sāliḥīn, qism al-‘ibādāt*, Beirut 1976, 489.1). The problematic relationship in Khū‘ī’s text between the addition and the statement of the condition itself is pointed out in the commentary of Taqī al-Qummī (*Mabānī*, 7:152.9). The view put forward there is that there is no proof that danger voids the obligation (*ibid.*, 151.9, with the long activist tradition invoked in support); but the motivation is unlikely to be political (cf. above, ch. 11, 295f.).

²¹¹ Khwānsārī, *Jāmi‘*, 5:406.5.

²¹² Muḥammad Ḥusaynī Shīrāzī, *Risāla-i tawḍīḥ al-masā’il*, n.p. n.d., 388 no. 2, 163; his statement of the condition itself is traditional (*ibid.*, 388.6). This work was drawn to my attention by Kambiz Eslami.

²¹³ Muḥammad al-Ḥusaynī al-Shīrāzī, *Fiqh*, Qumm c. 1374–1408, 38:132–5 no. 6, esp. 134.18, 135.6.

Gulpāyagānī (d. 1414/1993) states uncompromisingly that we have no business modifying conditions we don't like, but then effectively compromises by saying that if what is at stake is the standing of a religious precept, that is another matter; the analogy would then be with holy war, and the issue would have no connection with forbidding wrong.²¹⁴ Even Muḥammad Amīn Zayn al-Dīn (d. 1419/1998), who as the head of the Akhbārī community in Baḥrayn might be expected to stand apart from developments among the Imāmī mainstream, adopts the principle of relative weight (*ahammīyya*) with regard to the danger condition.²¹⁵

It is no surprise to find more recent scholars following Khumaynī. His pupil Murtaḍā Muṭahharī (d. 1399/1979), in a talk given in 1390/1970, expresses his regret that some Imāmī scholars of the past, from whom one would not have expected such a thing, had maintained the danger condition without qualification.²¹⁶ He accepts that the duty may be overridden when the result would be greater damage (*mafsada*) to Islam;²¹⁷ but, appealing to the example of Ḥusayn ibn 'Alī (martyred in 61/680), he does not accept that mere personal harm (*ḍarar*) dispenses one from performing the duty.²¹⁸ It may be that what is at stake is something on which Islam sets a higher value (*ahammīyat*) than it does on life, property or dignity – as when the Koran is in danger.²¹⁹ 'Alī Tihirānī, a cleric who was active in Mashhad, composed before the revolution a work on forbidding wrong in which he quietly adopts much material from Khumaynī;²²⁰ in his

²¹⁴ Muḥammad Ridā Gulpāyagānī (d. 1414/1993), *Majma' al-masā'il* (in Persian), Qumm 1403–6, 1:419 no. 1,273; cf. his classical statement of the danger condition, *ibid.*, 418 no. 1,271, and 438.19. An authority who makes no modification to the danger condition is Shihāb al-Dīn Mar'ashī Najafī (*Risāla-i tawḍīḥ al-masā'il-i jadīd*, Qumm 1409, 500.13). Gulpāyagānī's point about holy war is also made by Ṭalīb al-Rifā'ī in a rejoinder to an article by Faḍīl al-Ḥusaynī al-Milānī ('al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar', *al-Najaf*, 2 no. 2 (March 1968), 104.21; for Milānī's article, see below, note 219).

²¹⁵ Muḥammad Amīn Zayn al-Dīn (d. 1419/1998), *Kalimat al-taghwā*, Qumm 1413–14, 2:308.9 no. 10. He assimilates cases involving serious harm to *jihād* in a manner reminiscent of Gulpāyagānī (*ibid.*, 308.17). He also invokes the principle of *ahammīyya* in an unrelated context (*ibid.*, 317.20, no. 35); he there observes that one has recourse to *al-faḡīḥ al-jāmi' li'l-sharā'iṭ* in order to determine relative weight (*ibid.*, 318.2; cf. below, note 243).

²¹⁶ Murtaḍā Muṭahharī (d. 1399/1979), *Hamāsa-i Husaynī*, Tehran and Qumm 1364 sh., 2:128.6. For the date of the series of talks to which this one belongs, see *ibid.*, 7.3. It is noteworthy that there is no anticipation of this attack on the traditional danger condition in a talk by Muṭahharī on *al-amr bi'l-ma'rūf* which was given in 1380/1960 ('Amr ba-ma'rūf wa nahy az munkar'; for this talk, see Akhavi, *Religion and politics*, 120).

²¹⁷ Muṭahharī, *Hamāsa*, 2:131.12.

²¹⁸ *Ibid.*, 132.1. Modern writers on *al-amr bi'l-ma'rūf* make frequent references to Ḥusayn, and like to quote the form of salutation used by pilgrims to his tomb (*ibid.*, 67.15, 179.11; Ḥusayn-'Alī Muntazirī, *Dirāsāt fi walāyat al-faḡīḥ wa-fiqh al-dawla al-Islāmiyya*, Qumm 1408–11, 2:228.2 (this account was brought to my attention by Kambiz Eslami); and cf. Nūrī, *Amr*, 112.13; for the formula, see the references given above, ch. 11, note 50).

²¹⁹ Muṭahharī, *Hamāsa*, 2:129.3. A similar position is taken by Faḍīl al-Ḥusaynī al-Milānī ('al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar', *al-Najaf*, 2 no. 1 (January 1968), 44.17).

²²⁰ 'Alī Tihirānī, *Amr ba-ma'rūf wa nahy az munkar dar Islām*, Mashhad n.d. The work was

treatment of the danger condition, he integrates Khumaynī's new thinking more closely with the rest of this material.²²¹ Pupils of Khumaynī who have published legal handbooks for their followers tend to follow him closely, though again they may make changes to smooth over the intrusiveness of Khumaynī's innovation.²²² In a work free of the constrictions of this genre, Ḥusayn-ʿAlī Muntazirī – at one time Khumaynī's designated successor – takes the position that since the duty is one intended for the reform of society (*iṣlāḥ al-mujtamaʿ*) and the eradication of evil and corruption, one must weigh the prospective harm against the targeted wrong, and give precedence to the weightier (*ahamm*).²²³ He goes on to speak of the kinds

written in 1393/1974 (*ibid.*, 188.15), and appears to have been published before the revolution – which may explain why Khumaynī is nowhere referred to by name (note the vague reference to views of 'major scholars' with which material deriving from Khumaynī's *Tahrīr* is introduced, *ibid.*, 164.2; compare the similarly anonymous way in which another pre-revolutionary author, ʿAbbās-ʿAlī Islāmī, introduces the same material in his *Do az yād rafta: amr bah ma'rūf wa nahy az munkar*, Tehran 1354 sh., 121.9). For Tihrānī's involvement in opposition activities within a couple of years of the revolution, see Bakhsh, *The reign of the Ayatollahs*, 134, 138–41.

²²¹ He rewrites the condition itself to specify that the harm must be significant (*mu'tanā bihi*), and, more importantly, he incorporates the principle of *ahammīyat* (Tihrānī, *Amr*, 173.18, 173.21; cf. Khumaynī, *Tahrīr*, 1:472.1). He likewise rewrites the efficacy condition to make a place for the category of issues of overriding religious importance (Tihrānī, *Amr*, 168.20, to be compared with Khumaynī, *Tahrīr*, 1:467.9; and see Tihrānī, *Amr*, 175f. no. 44). He inserts references to this category at several other points (*ibid.*, 168 nos. 18, 21; 172 nos. 31f.; 175 no. 42; 180 no. 62; 183 no. 74). He also seeks to neutralise quietist traditions (*ibid.*, 153–62, esp. 157.7, 162.1).

²²² Of the treatments of *al-amr bi'l-ma'rūf* in the various appropriations of Khumaynī's *Risāla-i tawdīḥ al-masā'il*, that of Šādiq Khalkhālī comes closest to being an example of *taqlīd* of a dead *mujtahid* (*Risāla-i tawdīḥ al-masā'il*, Qumm 1372 sh., 540–7). That of Ḥusayn-ʿAlī Muntazirī (*Risāla-i tawdīḥ al-masā'il*, Qumm 1362 sh., 363–70) is only slightly more adventurous in departing from the master's text (he adds an item which takes account of the existence of the Islamic Republic, *ibid.*, 367 no. 2, 162); but unlike Khalkhālī, he revises the danger condition to incorporate the principle of *ahammīyat* (*ān-kih dar amr wa nahy, mafsada'i muhimmtar nabāshad*, *ibid.*, 364.16; contrast Khumaynī, *Risāla*, 574.11, and Khalkhālī, *Risāla*, 541.11, where the word *muhimmtar* does not appear). Nāšir Makārīm Shīrāzī gives only a brief account of *al-amr bi'l-ma'rūf* (*Risāla-i tawdīḥ al-masā'il*, Qumm n.d., 494f.), but most of what he does say is taken from Khumaynī; in his treatment of the danger condition, he begins with a classical formulation of it, but then appends the substance of Khumaynī's statement on *ahammīyat* (*ibid.*, 494.7; cf. Khumaynī, *Risāla*, 574f. no. 2, 792). Muḥammad Šādiq Tihrānī offers an account of *al-amr bi'l-ma'rūf* which is not a clone of Khumaynī's and does not really observe the conventions of the genre (*Risāla-i tawdīḥ al-masā'il*, Qumm n.d., 237–43); but he firmly endorses the principle of *ahammīyat* (*ibid.*, 239.20), saying that it makes no sense for the condition to hold without qualification (*ibid.*, 240.11; he also rejects the efficacy condition, *ibid.*, 240.16).

²²³ Muntazirī, *Dirāsāt*, 2:251.14, 255.20, 256.5. For other expressions of the idea that what counts is relative harm, see also Muḥammad Šādiqī, *al-Furqān fī taḥsīr al-Qur'ān*, Tehran, Qumm and Beirut 1397–1410, 10–11:221.17 (to Q9:71) (again this author rejects the efficacy condition entirely, *ibid.*, 221.15); Muḥammad Jawād Maghniyya (d. 1400/1979), *al-Taḥsīr al-kāshif*, Beirut 1968–70, 2:124.11 (to Q3:104); anon., 'Amr bah ma'rūf wa nahy az munkar yā 'amal bah mas'ūliyat-hā-yi ijtimā'i', a series of six articles which appeared in *Jumhūrī-i Islāmī*, 13, 14, 15, 17, 21 and 22 Urdibihisht, 1366 sh., on pages 9, 9, 7, 9, 9 and 7 respectively, here no. 6, col. f.32.

of evil where a modicum of harm could hardly be held to override the duty; these include contagious social ills and threats to the foundations of Islam.²²⁴ Ḥusayn al-Nūrī al-Hamadānī in a rather noisy monograph on forbidding wrong gives a lengthy discussion of the danger condition,²²⁵ mounting a sustained attack on the traditional Imāmī view. Like others he argues that, just as there can be no holy war without cost, so also there can be no forbidding wrong without cost.²²⁶ He rehabilitates the long activist tradition with its contemptuous reference to those who perform the duty only ‘when they are safe from harm’.²²⁷ He greatly widens Khumaynī’s view of the circumstances in which the condition is overridden: stopping a single act of fornication is worth a bloody nose.²²⁸ And he strongly rejects any suggestion that martyrdom is tantamount to suicide²²⁹ – indeed he suspects that the hidden hand of colonialism might have played a part in creating and spreading this misconception.²³⁰ A more recent monograph on the duty is that of Muḥsin al-Kharrāzī.²³¹ His approach is dry and scholastic, and he avoids Nūrī’s flights of rhetoric.²³² In his discussion of the danger condition, he makes no effort to conceal the weakness of the attestation of

²²⁴ Muntazirī, *Dirāsāt*, 2:252.2.

²²⁵ Nūrī, *Amr*, 99–135. According to my copy, Nūrī wrote the book in 1395/1975 (*ibid.*, 255.16), in other words a few years before the revolution. There was apparently a printing in Lahore for which I have seen the dates 1354 (sh.)/1975 (so in the bibliography of Ḥasan Islāmī Ardakānī, *Amr bah ma’rūf wa nahy az munkar*, Qumm 1375 sh., 207.15) and 1393/1973f. (*Turāthunā*, 12 (1417), nos. 45–6, 400b.6, drawn to my attention by Etan Kohlberg); these dates do not quite tally. The equation of Shī‘ism (as opposed to Sunnism) with revolution is a prominent theme of the book (see *ibid.*, 182–90, 253f. point 3).

²²⁶ *Ibid.*, 105.5, 117.9. This argument is also advanced by, for example, Shīrāzī (*Fiqh*, 38:134.11) and ‘Alī-Akbar al-Sayfī (*Dalīl Taḥrīr al-Wasīla lil-Imām al-Khumaynī (s) fi ‘l-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, Qumm 1415, 163.3).

²²⁷ Nūrī, *Amr*, 110.17, quoting and refuting the efforts of Najafī (d. 1266/1850) to explain the tradition away (cf. above, ch. 11, note 282). This tradition is a favourite of Nūrī: as well as quoting it at length (*ibid.*, 43.1), he repeatedly echoes its wording (*ibid.*, 16.3, 65.10, 65.21, 90.13, 106.20, 247.13), and never casts doubt on its reliability. This is in sharp contrast to his treatment of quietist traditions which get in his way (*ibid.*, 85.13, 86.16). Muntazirī, who might have been expected to be equally tendentious in his treatment of the long activist tradition, is too much of a scholar to attempt to conceal its defects (*Dirāsāt*, 2:218.6, 231.1).

²²⁸ Nūrī, *Amr*, 118.18. What he says is comparable to Shīrāzī’s view of cases where the prospective harm is small (see above, note 213). ²²⁹ *Ibid.*, 119–35.

²³⁰ *Ibid.*, 121.15. He is inhibited from pursuing this insight by the fact that he finds the misconception already present in the Koran commentary of Ṭabrisī (d. 548/1153).

²³¹ Muḥsin al-Kharrāzī, *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar*, Qumm 1415. The work is a commentary on the relevant part of the Muḥaqqiq’s *Sharā‘i‘*, but it also addresses systematically specific points (*furū‘*) often taken from Khumaynī’s *Taḥrīr*.

²³² He makes only one reference to Nūrī, in connection with the latter’s activist assault on the tradition about not confronting a man with a whip or sword (*ibid.*, 71.20, with reference to Nūrī, *Amr*, 85.14; for the tradition, see above, ch. 11, note 14). My impression is that he finds Nūrī’s tone somewhat unprofessional.

the long activist tradition.²³³ But he accepts the principle of relative weight where omission to perform the duty would have major untoward consequences.²³⁴ He also quotes from Muḥsin al-Ṭabāṭabāʾī al-Ḥakīm (d. 1390/1970) a distinction between two kinds of wrong. On the one hand, there are extraordinary wrongs which threaten the foundations of the faith or the integrity of Islamic territory; the righting of these is not subject to the conditions of forbidding wrong. And on the other hand, there are commonplace wrongs – failing to pray, drinking wine – the righting of which is indeed subject to these conditions.²³⁵ The Lebanese jurist Muḥammad Ḥusayn Faḍl Allāh likewise makes frequent use of the principle of relative weight in his account of forbidding wrong.²³⁶

An interesting figure who does not fit into the analysis given above is Aḥmad Ṭayyibī Shabistārī, who nevertheless provides the prototype for much of Nūrī's work. A cleric who had not passed the age of forty when he died in 1350 sh./1971, he wrote a rather hot-headed work on precautionary dissimulation (*taqīyya*) and forbidding wrong which was published soon after his death.²³⁷ What is remarkable about it in the present connection is that Ṭayyibī, in his revolutionary enthusiasm,²³⁸ was not content to qualify the danger condition more or less heavily; instead he rejected it outright,²³⁹ just as he rejected the knowledge and efficacy conditions.²⁴⁰ As we

²³³ Kharrāzī, *Amr*, 100.15 (*ḍaʿf sanadīhi*); cf. also *ibid.*, 121.1, 130.1.

²³⁴ *Ibid.*, 100.19; also *ibid.*, 104.15, 115.3.

²³⁵ *Ibid.*, 102.11. He later picks up the distinction (*ibid.*, 114.13).

²³⁶ Muḥammad Ḥusayn Faḍl Allāh, *al-Masāʾil al-fiqhiyya*, Beirut 1995–6, 2:305–13. He speaks of *ahammīyya* in nos. 761 (on the conditions under which the duty overrides such prohibitions as that of entering a home without leave), 763 (on the danger condition), 771 (on the duty of the *ʿulamāʾ al-dīn* in particular to speak out in the face of oppressive government), 774 (on the right of a wife to deny her husband sexual relations in order to induce him to reform); and cf. no. 770 (on *bidʿa*).

²³⁷ Aḥmad Ṭayyibī Shabistārī (d. 1350 sh./1971), *Taqīya; amr bah maʿrūf wa nahy az munkar*, Tehran 1350 sh. He studied in Qumm and later at the University of Tehran (see the brief notice of his life, *ibid.*, 276f.). His picture (*ibid.*, 275) shows him as a cleric, and his editor, Ḥasan Tihānī, dignifies him with the title Ḥujjat al-Islām (*ibid.*, 276.3). He was still engaged in writing the book a few days before his death (*ibid.*, 273.4). Ṭayyibī's views were well summarised by Hamid Enayat (*Modern Islamic political thought*, Austin 1982, 179f.); I am much indebted to Anna Enayat for lending me what had been his copy of the work.

²³⁸ Ṭayyibī's work is typified by a fusion of Islam and modern revolution. He speaks of 'the revolution of Islam' (*inqilāb-i Islām*, see, for example, *Taqīya*, 202.13, 225.5), 'the black forces of reaction' (*quwā-yi siyāh-i irtijāʿ*, *ibid.*, 92.12), 'betraying the revolution' (*khiyānat bah inqilāb*, *ibid.*, 213.10) and the like. Words such as 'ideology', 'dynamic', 'revisionist' and 'opportunist' are shown in Latin characters (*ibid.*, 26.2, 53 n. 1, 58 nn. 1f., 213 nn. 1f.).

²³⁹ *Ibid.*, 121–44. The absence of Khumaynī's principle of *ahammīyat* is striking (see particularly *ibid.*, 143.3); the most he concedes is to distinguish *al-amr bi'l-maʿrūf* from suicide (*intihār*) and the like (*ibid.*, 143.16). Ṭayyibī's rejection of the danger condition finds a parallel in the thought of Sharīʿatī (*Shīʿa*, 71.17).

²⁴⁰ Ṭayyibī, *Taqīya*, 104.2, 114.2; and cf. 234.14.

have seen, not even Nūrī follows him so far, despite obvious similarities between them.²⁴¹

The other quietist feature of the traditional doctrine was the requirement of the imam's permission for the performance of the duty in its more violent forms. Here one possibility would have been to reject the requirement altogether, a position that had distinguished representatives among the classical Imāmī jurists.²⁴² However, recent Imāmī scholars have shown no interest in so drastic a manoeuvre. Instead they have opted to render the necessary permission more accessible; this has been done most explicitly through the modification of a minority view of the early Ṣafawid period, according to which such action could be undertaken by a suitably qualified jurist.

Again, we can best begin with Khumaynī. He starts by telling us that, according to the stronger view, wounding and killing require the permission of the imam (*al-imām 'alayhi 'l-salām*); he then goes on to say that in our time the jurist who satisfies the relevant conditions (*al-faqīh al-jāmi' lil-sharā'it*) takes his place.²⁴³ (The reference here is clearly to any suitably qualified jurist.²⁴⁴) Khumaynī's contemporaries are less explicit. Khwānsārī speaks only of the imam's permission.²⁴⁵ Khūṭ does not mention permission at all, and restricts the higher levels of violent action to the imam or

²⁴¹ Ṭayyibī anticipates Nūrī's polemic against Najafī (see, for example, *ibid.*, 105.7, 134.10, 162.1), and his liking for the long activist tradition: he quotes and translates it (*ibid.*, 129–33), enthuses over its contemporary relevance (*ibid.*, 133.18), and uses it to trip up his opponents (*ibid.*, 134.7). Like Nūrī, he never impugns its transmission, though he is not above raising such an objection to a tradition he does not like (*ibid.*, 262.1). For all this, compare above, note 227. For another significant feature common to the two authors, see below, note 280. The two authors also agree in regarding *al-amr bi'l-ma'rūf* as having a grounding in reason (*ibid.*, 167.8, and see above, ch. 11, note 242), and in holding a mixed doctrine as to whether the duty is individual or collective (*ibid.*, 165.11, and see above, ch. 11, note 256).

²⁴² See above, ch. 11, 268, for the classical jurists, and cf. note 233 for the eclipse of this view in later centuries.

²⁴³ Khumaynī, *Tahrīr*, 1:481 no. 11 (and cf. nos. 10 and 12); similarly his *Risāla*, 580f. no. 2,824 (speaking of *muṭṭabiq-i jāmi' al-sharā'it*; cf. also *ibid.*, nos. 2,823, 2,825). Khumaynī may owe this view to Burūjirdī (d. 1380/1961). In his book written in 1369/1949–50, Ṣāfi Gulpāyagānī devotes a few pages to points of legal doctrine according to the view (*muṭṭabiq-i fatwā*) of Burūjirdī (*Rāh-i iṣlāḥ*, 82–4), and he states there that killing and wounding require *idhn-i faqīh-i jāmi' al-sharā'it* (*ibid.*, 84.16). For the precedents for this view in the early Ṣafawid period, see above, ch. 11, note 234.

²⁴⁴ See Khumaynī, *Tahrīr*, 1:482 no. 2, where he equates the general deputies (*nuwwāb*) of the imam in his absence with the suitably qualified jurists (*al-fuqahā' al-jāmi'ūn li-sharā'it al-fatwā wa'l-qaḍā'*). Such is also the clear understanding of the English translation of the *Risāla* (Khomeini, *A clarification of questions*, trans. J. Borujerdi, Boulder and London 1984, 378f. nos. 2,823–5).

²⁴⁵ Khwānsārī, *Jāmi'*, 5:410.9 (drawing heavily on Najafī). This goes well with his minimalist view of clerical authority (cf. *ibid.*, 3:98.17, 100.3; 5:411.8, 412.19).

his deputy (*nāʾib*).²⁴⁶ However, Gulpāyagānī requires the permission of a jurist (*idhn az faqīh*),²⁴⁷ and Shīrāzī requires the permission of the judicial authority (*ḥākim-i sharʿ*) where killing is involved.²⁴⁸ Among more recent writers, Muntazirī and Makārim Shīrāzī are aligned with Shīrāzī's formulation,²⁴⁹ while Nūrī echoes Khumaynī.²⁵⁰ Kharrāzī comes to the conclusion that such action is reserved to the Supreme Guide to the exclusion of other jurists.²⁵¹ Thus where Khumaynī had originally allowed righteous violence to be unleashed by individual members of the clergy, for Kharrāzī it is a monopoly of the state.²⁵² Unsurprisingly, this latter view has the endorsement of the current Supreme Guide: Khāmīnāʾī declared in a speech of 1413/1992 that in an Islamic society the duty of ordinary people (*ʿamma-i mardum*) is to command right and forbid wrong with the tongue; if the matter would lead to violence (*agar kār bah barkhwurd bi-kashad*), it is for the authorities (*masʾulīn*) to step in.²⁵³

²⁴⁶ Khūʾī, *Minhāj*, 7:159.2 (the mention of the imam's deputy is reminiscent of Najafī, see above, ch. 11, note 234). A view close to this is that of the Akhbārī Zayn al-Dīn (*Kalimat al-taqwā*, 2:311.13 no. 17). For similar views, in which the question of permission is likewise not raised, see Muṭahharī, 'Amr ba-ma'rūf', 81.12 (reserving violence to the *ḥākim-i sharʿ*), and Muḥammad Riḍā Āshtiyānī *et al.*, *Tafsīr-i numūna*, Tehran 1353–8 sh., 3:40f. no. 5 (to Q3:104) (excluding violence from the individual performance of the duty; otherwise the result would be mayhem); and cf. Bihishtī, 'Rūḥānīyat', 160.9. These views come close in substance to those of Sunnīs who deny to the individual the execution of the duty 'with the hand' (see above, 523–5); indeed the Lebanese Faḍl Allāh would seem to have been exposed to such thinking (*Masāʾil*, 2:307 no. 759).

²⁴⁷ Gulpāyagānī, *Majmaʿ al-masāʾil*, 1:417 no. 1,268 (regarding blows that inflict wounds).

²⁴⁸ Shīrāzī, *Risāla*, 389 no. 2,168; and cf. his *Fiqh*, 38:143.19 (*ijāzat al-ḥākim al-sharʿī*). Cf. above, ch. 11, note 238, on Muḥsin al-Fayḍ.

²⁴⁹ Muntazirī, *Dirāsāt*, 2:219.18 (*idhn al-ḥākim*); Makārim Shīrāzī, *Risāla*, 495 no. 2,419 (*ijāza-i ḥākim-i sharʿ*); likewise Sayfī, *Dalīl*, 210.4 (*idhn al-ḥākim*).

²⁵⁰ Nūrī, *Amr*, 247.8, 255.5 (but cf. 248.20). In one passage he observes that the layman (*al-ʿādī min al-nās*) may have difficulty figuring out the intricacies of the duty, and may be subject to inappropriate motivations where it leads to violence; the oversight of the jurist is therefore necessary, if only through the designation of a virtuous person or persons in each district to superintend the performance of the duty (*ibid.*, 247.22). Tayyibī does not discuss the question.

²⁵¹ Kharrāzī, *Amr*, 152.13; and see *ibid.*, 146.11, 150.16, 155.17. He uses the term (*al-*)*walī al-faqīh*.

²⁵² A similar tendency is apparent in Muntazirī's treatment of the duty. He makes violence and even, in some contexts, aspects of the verbal performance of the duty a matter for the ruling authority (*al-ḥākim al-mutasallīṭ*) (*Dirāsāt*, 2:225.3). Compare his similarly statist interpretations of Q3:104 (*ibid.*, 227.7), and of the long activist tradition, which makes no mention of the state (*ibid.*, 231.4, and cf. 228.19).

²⁵³ This speech is reported in 'Amr bah ma'rūf wa nahy az munkar bāyad hamānand-i namāz farāgīr shawad', in *Jumhūrī-i Islāmī*, 23 Tīr, 1371 sh., 14d.98; the passage is quoted in, for example, Muḥammad Ishāq Masʾūdī, *Pizbūhishī dar amr bah ma'rūf wa nahy az munkar az dūdghā-i Qurʾān wa riwāyāt*, Tehran 1374 sh., 148 no. 3, 264.11. Masʾūdī naturally adopts this view himself (*ibid.*, 264.5), as do Khusraw Taqaddusī Nīyā (*Dars-hāyī az amr bah ma'rūf wa nahy az munkar*, Qumm 1375 sh., 65.14) and Muḥammad Riḍā Akbarī (*Tahllīlī naw wa ʿamalī az amr bah ma'rūf wa nahy az munkar dar ʿaṣr-i ḥādīr*, Iṣfahān 1375 sh., 134.18).

The other major innovation in modern Imāmī thought on forbidding wrong parallels a development we have already documented on the Sunnī side: the increasing sense of the importance of being organised.²⁵⁴ In a talk of 1380/1960, Muṭahharī observes that individual action is not very effective, particularly in the world as it is today; what is needed is cooperation.²⁵⁵ Ten years later he simply equates forbidding wrong with fellow-feeling (*hamdardī*), solidarity (*hambastagī*), cooperation (*hamkāri*) and other such qualities.²⁵⁶ Ṭayyibī speaks of the need for institutions and for an Islamic state.²⁵⁷ Shīrāzī remarks that in this age commanding and forbidding require something like industrial planning (*taṣnīʿ wa-tansīq*).²⁵⁸ Nūrī argues that in our time the forces of evil are well equipped (*mujahhaza bi-tajhīzāt*), and we have to respond in kind.²⁵⁹ What is called for today is accordingly something much more concerted and systematic than the view of the duty enshrined in the old juristic tradition. It is not the business of the writers who concern us to tell us exactly what this revamping would consist of; but a couple of indications are given by Ṣādiqī, who infers from Q3:104 a duty to form a group of guardians (*pāsdārān*) of Islam,²⁶⁰ and requires the Islamic state to establish a Ministry of Forbidding Wrong.²⁶¹

In this new emphasis on organisation, the Imāmīs sound very much like the Sunnīs. Where they differ from them is that the Imāmīs have moved to provide a conceptual foundation for this emphasis through a development within their scholastic tradition. Specifically, what is involved is a new twist in the handling of three conditions of the classical four: the knowledge, efficacy and danger conditions.

²⁵⁴ We already find Ṣāfi Gulpāyagānī devoting a section to the need for cooperation in forbidding wrong (*Rāh-i iṣlāḥ*, 53–6). For the Sunnīs, see above, 516f.

²⁵⁵ Muṭahharī, ‘Amr ba-ma’rūf’, 89.5. The limited extent of the powers of individuals is also remarked on in Āshitīyānī, *Tafsīr-i numūna*, 3:36.7. Whether Muṭahharī would have liked the kind of cooperation that emerged in the Islamic Republic may be doubted. Expounding a proposal of Khumaynī in an interview that he gave two weeks before he was killed, he set aside the idea of a ministry for *al-amr bi’l-ma’rūf* on the ground that this would mean an undesirable clerical role in government (*Pirāmūn-i Jumhūrī-i Islāmī*, Tehran and Qumm 1364 sh., 25.8); he called for organisation, training and central authority, but in the framework of an institution independent of the state (*ibid.*, 27.9). For the idea of a ministry for *al-amr bi’l-ma’rūf*, see also below, note 261.

²⁵⁶ Muṭahharī, *Hamāsa*, 2:160.4. ²⁵⁷ Ṭayyibī, *Taqīya*, 160.7, 165.11, 166.7, 253.9.

²⁵⁸ Shīrāzī, *Fiqh*, 38:145.13. His examples of ways in which it might be appropriate to perform the duty include opening a college, founding a club and creating a library (*ibid.*, 145.8). ²⁵⁹ Nūrī, *Amr*, 65.6.

²⁶⁰ Ṣādiqī, *Risāla*, 242.9. For the *Pāsdārān-i Inqilāb*, or Revolutionary Guard, as established during the revolution, see Bakhsh, *The reign of the Ayatollahs*, 63f.

²⁶¹ Ṣādiqī, *Risāla*, 243.5. For this idea, cf. also W. Floor, ‘The office of muhtasib in Iran’, *Iranian Studies*, 18 (1985), 53 (I owe this reference to Giorgio Vercellin); *al-Mūjaz ‘an Īrān*, 6 no. 3, November 1996, 7d.3; and above, note 255. Nūrī mentions that the jurist (sc. the Supreme Guide) should oversee the performance of the duty, if only by naming a good man or men in each locality (*suq wa-balad*) to superintend it (*Amr*, 248.2; cf. above, ch. 13, note 51).

It will be simplest to begin with Nūrī's account, since this presents the ideas in a fully developed form, and then to go back to trace their evolution. What Nūrī argues is more or less as follows. In a situation in which performance of the duty has been aborted because one of these conditions was not satisfied, we might be tempted to assume that we are thereby morally in the clear: we had no duty, and accordingly did nothing. But what such an outcome in fact suggests is that we were negligent in a prior duty to prepare ourselves for such eventualities. If the problem was that we did not know right from wrong, we should have been at pains to educate ourselves in advance.²⁶² If the problem was that we lacked the means to perform the duty effectively, we should have expended effort to prepare those means beforehand.²⁶³ And if the problem was that we were in danger, that points to a weakness which again we should have had the foresight to remedy.²⁶⁴

This style of thought does have a root in the older Imāmī doctrine of forbidding wrong.²⁶⁵ In discussing the knowledge condition, scholars of the early Ṣafawid period had suggested circumstances in which one might have a duty to get to know. It is a condition for valid prayer that one be in a state of ritual purity; but failure to put oneself into such a state does not mean that one is entitled to forget about prayer. In the same way, might it not be argued that in certain circumstances one has an obligation to inform oneself about right and wrong? The situation the jurists envisaged was that one knew (say from the testimony of two witnesses of good character) that what someone was doing was wrong, but that one did not oneself know just what was wrong about it. As this may suggest, the Ṣafawid jurists were not engaged in confronting a burning contemporary issue; in a style that was very typical of them, they were simply being clever. But the idea they put forward was one that could be applied to all three of the relevant conditions, and used to quite different effect.

²⁶² Nūrī, *Amr*, 77–83, esp. 79.10, 83.5; cf. also *ibid.*, 94.17.

²⁶³ *Ibid.*, 89–95, esp. 95.9 (with analogy to the knowledge condition). He draws an analogy with *jihād* (*ibid.*, 89.14), defining the relation of *al-amr bi'l-ma'rūf* to *jihād* in a manner reminiscent of Sa'īd Ḥawwā (*ibid.*, 90.6; cf. above, note 77). He admits that the jurists have not explicitly addressed the issue of preparing the means of efficacy in advance, but finds a precedent in their argument that there is a duty to take office under an unjust ruler where one will thereby be enabled to forbid wrong (*ibid.*, 91.3; for an early statement of this view, see W. Madelung, 'A treatise of the Sharīf al-Murtaḍā on the legality of working for the government', *Bulletin of the School of Oriental and African Studies*, 43 (1980), 23.14 = 27). The power he is talking about may be cultural, social and financial (Nūrī, *Amr*, 92.15), or financial, economic and military (*ibid.*, 94.12). He speaks of *i'dād muqaddamāt al-ta'thīr* (*ibid.*, 89.16), or uses similar phrases. ²⁶⁴ *Ibid.*, 114.18.

²⁶⁵ See above, ch. 11, notes 288f. The underlying technical distinction is between a condition for being obligated (*shart al-wujūb*) and a condition for valid performance of the duty (*shart al-wājib*); the latter, unlike the former, imposes a duty to take action to fulfil the condition (see Sayyid 'Alawī, *Nizārat*, 38.8).

To my knowledge, the first scholar to move significantly in this direction was Shari‘atmadārī.²⁶⁶ After raising the question with regard to the conditions in general,²⁶⁷ he discusses the knowledge condition, and concludes that it is of the kind that one must take action to fulfil.²⁶⁸ With regard to the efficacy condition, his position is more complicated. He has already introduced a typically modern distinction between a social (*ijtimā‘ī*) and a personal (*fardī*) form of the duty; the former, unlike the latter, is performed by an organised group (*gurūh*, *jam‘īyat*) of suitably trained and qualified people.²⁶⁹ He now says that in the case of the social and collective form of the duty – as opposed to the personal form – there is an obligation to satisfy the efficacy condition;²⁷⁰ we must lay the foundations for the social duty so that its performance will be effective.²⁷¹ He does not discuss the question when he comes to the danger condition, though he remarks in his account of it that students of the Islamic sciences in particular need to be prepared to carry out the social duty.²⁷²

This style of thought does not seem to have been widespread in Shari‘atmadārī’s generation. Shīrāzī shared it, but only with respect to the knowledge condition;²⁷³ Khumaynī was untouched by it, which helps to explain its rather unsteady progress. Two younger authors who took it up were Muṭahharī and Ṭayyibī. Muṭahharī showed no familiarity with it in his talk of 1380/1960, though his plea for logic (*manṭiq*) – by which he meant something like creativeness and ingenuity in social engineering²⁷⁴ – could be construed as a concern to secure the means of efficacy.²⁷⁵ In his

²⁶⁶ The lectures written down by Sayyid ‘Alawī cannot have been given later than 1387/1967, the date that appears at the end of the book (*ibid.*, 137.13; cf. also the dating of the introduction, *ibid.*, 22.11). There is a rather vague anticipation (or echo?) of Shari‘atmadārī’s thinking in Bihishtī, ‘Rūḥānīyat’, 160.21. ²⁶⁷ *Ibid.*, 40.2.

²⁶⁸ *Ibid.*, 44.7.

²⁶⁹ *Ibid.*, 31.3, 31.13; and cf. *ibid.*, 17.7 in Sayyid ‘Alawī’s introduction. Shari‘atmadārī remarks that the social form of the duty brings into being a government which is one hundred per cent virtuous and Islamic (*ibid.*, 36.10). ²⁷⁰ *Ibid.*, 52.8.

²⁷¹ *Ibid.*, 53.4. ²⁷² *Ibid.*, 130.8. ²⁷³ Shīrāzī, *Fiqh*, 38:127.6.

²⁷⁴ Muṭahharī, ‘Amr ba-ma‘rūf’, 89.14. For example, if we want to put a stop to vicious gossip among our traditional Iranian women, pious exhortations get us nowhere; we have to think up some other way for them to relax in their spare time (*ibid.*, 90.14).

²⁷⁵ Cf. Muṭahharī, ‘Amr ba-ma‘rūf’, 91.8. His insistence on logic goes with his emphasis on the fact that forbidding wrong, unlike praying or fasting, is an activity that turns on getting results (see Muṭahharī, ‘Adālat az naẓar-i Islām’, 45.9; his *Ḥamāsa*, 2:190.5; and his *Jādhība wa dāfi‘a-i ‘Alī*, 124.18). One root of Muṭahharī’s thinking here is the scholastic doctrine that the duty of forbidding wrong is *tawaṣṣūlī* (that is, the duty is discharged if the purpose is achieved irrespective of the intention of the performer), not *ta‘abbudī* (the duty is only discharged if the action is performed with the intention of obeying God) (for this distinction, see Mishkīnī Ardabīlī, *Muṣṭalaḥāt al-uṣūl*, 191.17; for its application to forbidding wrong, see Khumaynī, *Tahrīr*, 1:465 no. 13, and Mas‘ūdī, *Pizhūbīshī*, 254.2). It is, of course, good that the duty be performed with a pious intention; one medieval Imāmī jurist provides appropriate verbal formulae for such performance (Ibn Ṭayy, *Durr*, 104.5).

talk of 1390/1970 he continued to speak of logic.²⁷⁶ But he also insisted on the duty to secure the power needed for efficacy. The response of Islam to the man who says he doesn't have the power to perform the duty is: 'Fine, but go and acquire the power!'²⁷⁷ The other author who adopted the doctrine of prior duty, and with regard to all three conditions, was Ṭayyibī.²⁷⁸ His doctrine is essentially Sharī'atmadārī's, but extended to cover the danger condition, and expressed in a language suffused with political activism.²⁷⁹ His call for the fulfilment of the prior duty of preparing the means of forbidding wrong is insistent.²⁸⁰ Such views are by now widely known,²⁸¹ but they have not achieved the same recognition as the revision of the danger condition. The intellectually conservative Kharrāzī, in his recent monograph on forbidding wrong, does not pay much attention to them;²⁸² nevertheless, an equally recent commentator on one of Khumaynī's accounts adopts them.²⁸³

Alongside these doctrinal questions, the history of forbidding wrong as it has been established in the Islamic Republic over the last twenty years is a subject of considerable social, cultural and political interest. According to the Constitution, the duty is one that must be fulfilled 'by the people with respect to one another, by the government with respect to the people, and by the people with respect to the government'.²⁸⁴ In practice, the first

²⁷⁶ Muṭahharī, *Ḥamāsa*, 2:190.5.

²⁷⁷ *Ibid.*, 193.22, and cf. 201.8 (speaking also of the knowledge condition). He gives the analogy of the traditional discussion of taking office under an unjust ruler (*ibid.*, 194.5; see above, note 263).

²⁷⁸ This was already noted by Enayat (*Modern Islamic political thought*, 180).

²⁷⁹ See esp. Ṭayyibī, *Ṭaḥqīq*, 97–101; note the emphasis on extending the analysis of the knowledge condition to all three (*ibid.*, 101.10, 105.3). Ṭayyibī makes what is basically the same distinction as Sharī'atmadārī between the personal and social forms of the duty (*ibid.*, 165.11), though in the context of the social duty he lays more emphasis on popular participation (*ibid.*, 166.7) and the role of the state (*ibid.*, 165.14, 253.12, 261.4); however for Ṭayyibī this distinction seems to have no special bearing on the efficacy condition.

²⁸⁰ See, for example, *ibid.*, 144.4, 145.7, 165.3. He anticipates Nūrī's talk of *muqaddamāt* (see, for example, *ibid.*, 98.9, 146.15).

²⁸¹ An indication of this is the way in which authors who do not adopt the approach in any systematic way will nevertheless refer casually to the 'prerequisites' (*muqaddamāt*) of the duty. See Muntazirī, *Dirāsāt*, 2:256.1 (*i'dād al-muqaddamāt*); Šādiqī, *Risāla*, 239.9 (*ṭabīya-i muqaddamātash nizz wājib ast*), and cf. 239.19; Kharrāzī, *Amr*, 155.15 (*wujūb ṭahṣīl muqaddamātihī*); Ibrāhīm Amīnī in anon., 'Guzārish az siminār-i amr bah ma'rūf', 23 Abān, 4b.77 (*bāyad ān muqaddamāt farāham shawad*).

²⁸² For his casual use of the term *muqaddamāt*, see the preceding note. He accepts – with due qualification – the duty to get to know (Kharrāzī, *Amr*, 63.10), but that is as far as it goes. Contrast his endorsement of Khumaynī's qualification of the danger condition (see above, note 235).

²⁸³ Sayfī, *Dalīl*, 101.4, 104.6 (on the knowledge condition); *ibid.*, 121.13 (on the efficacy condition). He emphasises the institutional aspect of the prior duty with regard to efficacy (*ibid.*, 121.16). He offers no comparable analysis of the danger condition, but this is because he more or less rejects the condition as such (*ibid.*, 167.3).

²⁸⁴ Islamic Propagation Organization, *The Constitution of the Islamic Republic of Iran*, Tehran n.d., 21 article 8.

and third have been relatively muted by the din of the second.²⁸⁵ Iran, like Saudi Arabia, has become a society in which forbidding wrong is overwhelmingly a function of the state apparatus, in this case involving a plurality of organs which do not always act in concert.²⁸⁶ Because Iranian society is culturally richer than that of Saudi Arabia, and Iranian politics more open, there is a better story to be told here, and much more material with which to tell it.²⁸⁷ ‘It has been bad all morning,’ as a pious Iranian confided to an American journalist regarding his task of forbidding wrongdoing by couples hiking in the mountains behind Tehran in the high summer. ‘Girls in baseball caps, covered with makeup, coming up here without proper headscarves. And the boys use words I can’t repeat and strip off their shirts. It is a dirty, lonely job. But we must be ready to die for God.’²⁸⁸ Yet for all its considerable interest, this would not be a study which I am qualified to attempt; nor does it relate to the individual performance of the duty.

One source that does shed some light on the performance of the duty ‘by the people with respect to one another’ is a collection of responsa of Khumaynī which date mostly from the early years of the revolution.²⁸⁹ The section on forbidding wrong contains twenty-three questions with

²⁸⁵ I was told some years ago that the Supreme Guide issued a pronouncement stressing individual responsibility for *al-amr bi’l-ma’rūf* – this being a way to get the state off people’s backs somewhat – and that discussion followed. I have no written record of this development.

²⁸⁶ For a complaint about the lack of central coordination (*tansiq markazī*) between the various parts of the Iranian state apparatus whose activities bear on *al-amr bi’l-ma’rūf*, see ‘Abbās ‘Alī ‘Amīd Zanjānī, ‘Ḥaqq al-mushāraka fī shiyāghat al-nizām al-siyāsī wa’l-ijtimā’ī’, in *Huquq al-insān fī ‘l-Islām: maqālāt al-Mu’tamar al-khāmis lil-fikr al-Islāmī*, Tehran 1987, 75.21. A case in point is an incident in which the ‘Alī ibn Abī Ṭālib Foundation organised a competition to test the general public’s knowledge of *al-amr bi’l-ma’rūf*. The Foundation ran into a storm of criticism because it had announced that one of the prizes would be a video – this at a time when traffic in videos had been declared illegal, and there were daily reports of clashes between the forces of order and the owners and distributors of videos (anon., ‘Intiqād az i’lām-i jāyiza-i “widiyo” barā-yi musābaqa-i ‘amr bah ma’rūf wa nahy az munkar’, *Iran Times* (Washington), 2 October 1992; I am indebted to Shohreh Gholsorkhi for giving me a copy of this article).

²⁸⁷ For two contrasting perspectives, see the lectures of Nabī Šādiqī published in Dādsarā-yi Inqilāb-i Islāmī-i Mubārāza bā Mawādd-i Mukhaddir wa Munkarāt-i Tihārān, *Shīwahā-yi ṣaḥīḥ-i amr bah ma’rūf wa nahy az munkar*, Tehran 1371 sh., and Geraldine Brooks, ‘Teen-age infidels hanging out’, *The New York Times Magazine*, 30 April 1995, 44–9. As Šādiqī sees it, the problems are not confined to teenage delinquents; he considers it intolerable that marriage-halls (*tālārkhā-yi ‘arūsī*) in the Islamic Republic, though private, should not be under official supervision (*Shīwahā*, 228.11).

²⁸⁸ Chris Hedges, ‘With Mullahs’ sleuths eluded, hijinks in the hills’, *The New York Times*, 8 August 1994, 4. ‘When we see couples go up the peaks, we must follow to make sure they are brothers and sisters or are married’, the poor man explained. ‘But all this climbing, all this walking, is hard. By the end of the day I collapse.’

²⁸⁹ Khumaynī (d. 1409/1989), *Istiftā’āt* (in Persian), Qumm 1366–72 sh. The introduction states that most of the questions were put to Khumaynī in 1360–2 sh. (i.e. 1981–3).

Khumaynī's answers.²⁹⁰ Sometimes the questioner makes explicit reference to the duty,²⁹¹ but more often it is the answer that does so.²⁹² One question is about our obligation with regard to strangers 'under today's conditions',²⁹³ but with few exceptions,²⁹⁴ the common thread of the questions is a concern about our duty towards people with whom we have regular social relations. Can one, for example, be friends with an observant Muslim who lacks faith in the authority of the Supreme Guide (*wilāyat-i faqīh*) and has an eclectic (*iltiqāʿī*) style of thought?²⁹⁵ Many of these problems concern family ties. Every Iranian family, it seems, is unhappy in the same way: one member or another remains mired in the immorality, irreligion or political allegiances of the fallen Ṭāghūtī regime. One questioner has four nephews and a niece who are not in the least religiously observant, make their living mostly from gambling and drug-peddling, and even now live in hope of a Ṭāghūtī restoration – may they never see it even in their dreams!²⁹⁶ A woman laments that her father does not believe in God, the Prophet, or the world to come, never prays, and is strongly opposed to the revolution – whereas her mother, sister and brothers are all believers. Talking to him nicely doesn't work, and things are getting worse by the day. At this point she mentions that she is married, and explains that matters have now reached a point where her husband refuses to visit her parents' house. What is she to do?²⁹⁷ One husband of an impious wife complains that she never performs the dawn prayer.²⁹⁸ Another has a wife who prays only once in a while, and then after much aggravation; he suffers mental anguish, and is worried as to whether he will be held responsible at the Resurrection.²⁹⁹ In the years that

²⁹⁰ *Ibid.*, 1:482–90. In what follows, I shall refer to the questions by their numbers within the section. ²⁹¹ Nos. 1, 4, 8.

²⁹² Nos. 2, 10–12, 14–16, 18, 20, 22. In other cases the answer refers to counselling (*irshād*) (nos. 7, 9, 13, 19) or guidance (*hidāyat*, *rāhmumāʿī*) (nos. 21, 23). In some instances the reference to the duty is at most implicit (nos. 3, 5f., 17).

²⁹³ No. 1. The point of the question seems to be that so many of our interactions under modern conditions are impersonal, and therefore uncondusive to the performance of the duty.

²⁹⁴ No. 5 is about the political stance to be adopted towards people with a lukewarm (but not overtly hostile) attitude to the struggle against 'World Ṭāghūt and Unbelief'; no. 6 poses the same question regarding pseudo-clerics who are openly pro-American; and no. 10 is about people who throw away food.

²⁹⁵ No. 8. The answer is that one should counsel him.

²⁹⁶ No. 13. Here, as in several other cases where ties of kinship are at issue, Khumaynī warns against severing such ties and enjoins counselling or reproving the offender (nos. 12f., 18, 21, and cf. nos. 17, 20). Where such ties are not at stake, cutting off relations, though not necessary in itself (no. 3, and cf. no. 8), may be a way to perform the duty (no. 2, and cf. no. 4). ²⁹⁷ No. 21. ²⁹⁸ No. 16.

²⁹⁹ No. 15. Some of the same concerns occur in the responsa of Gulpāyagānī (see, for example, *Majmaʿ al-masāʾil*, 1:426 no. 1,298, 427 no. 1,301, 428 no. 1,304, 429 no. 1,309, 431 no. 1,315, 432 no. 1,317); but the presentation of the questions is rather dry, and the sharp political focus is absent.

have passed since Khumaynī pronounced on these questions, the tensions they reflect are likely to have diminished to the extent that sharp polarisation has given way to shared cynicism in the Iranian population.

We may end this survey by glancing at modern Imāmī attitudes towards the performance of the duty by women – an issue which the Imāmī scholars of the past had not thought to raise. Here those scholars who discuss the question – and many do not – usually quote Q9:71 and infer that women too are obligated.³⁰⁰ Imāmī exegetes are significantly more likely than their Sunnī counterparts to highlight this aspect of the verse: of the fifteen modern Imāmī Koran commentaries I consulted, five did so.³⁰¹ But there is little discussion of how other aspects of the legal position of women might affect their performance of the duty. Ṭayyibī says that Muslim women must participate in the duty ‘shoulder to shoulder’ (*dūshādūsh*) with Muslim men, which certainly suggests that segregation should not be much of a barrier; and although his youthful enthusiasm is unlikely to represent settled clerical opinion, his phrase is echoed by two recent clerical writers of a more or less liberal bent.³⁰² Khumaynī himself was once consulted by a nurse (*parastār*) who was concerned about her duty with regard to war-wounded patients who failed to pray because of the inadequacy of their faith; he replied that it was her duty to forbid wrong.³⁰³

³⁰⁰ Ṭayyibī, *Taqīya*, 206.15 (a strong statement); Muntazirī, *Dirāsāt*, 2:225.11; Muḥammad Khāmīnāʾī, ‘al-Ḥuqūq al-insāniyya lil-mar’a fi ‘l-Islām wa-fi ‘l-qawānīn al-waḍ’iyya’, in *Ḥuqūq al-insān fi ‘l-Islām: maqālāt al-Mu’tamar al-khāmis lil-fikr al-Islāmī*, Tehran 1987, 379.2 (explicitly putting men and women on an equal footing in this regard); Muhammad Jawad Bahonar, ‘Islam and women’s rights’, in Muhammad Taqi Mesbah *et al.*, *Status of women in Islam*, New Delhi 1990, 38 (cited in Mayer, *Islam and human rights*, 121). In a seminar on the duty, Āyatullāh Muḥammadī Gilānī and Ibrāhīm Amīnī mention the inclusion of women, though without quoting the verse (anon., ‘Guzārishī az simīnār-i amr bah ma’rūf’, 23 Abān, 4a.23, 4b.72), and Taqaddusī Niyā relates a story in which a woman corrects the caliph ‘Umar (r. 13–23/634–44) (*Dars-hāyi az amr bah ma’rūf*, 104f. no. 13). The Akhbārī Zayn al-Dīn, likewise without quoting the verse, remarks in a domestic context that a believing woman is obligated (*Kalimat al-taqwā*, 2:316.26 no. 32).

³⁰¹ Muḥammad al-Karamī, *Tafsīr*, Qumm 1402, 4:102.11; Muḥammad Thaqaṭī Tihirānī (d. 1404/1983f.), *Rawān-i jadīd*, Tehran n.d., 2:600.9; ‘Alī-Akbar Qurashī, *Tafsīr-i aḥsan al-ḥadīth*, Tehran 1366–71 sh., 4:269.23; Muḥammad Bāqir Hujjātī and ‘Abd al-Karīm Bī-āzār Shirāzī, *Tafsīr-i kāshif*, Tehran 1363– sh., 5:415.13; Akbar Hāshimī Rafsanjānī, *Tafsīr-i rābnumā*, Qumm 1371– sh., 7:189 no. 8. A commentary that does not address the point is that of Bānū Mujtahida-i Amīn (d. 1403/1983), *Makhzan al-‘irfān*, Iṣfahān n.d., 6:73. For Sunnī exegetes, cf. above, note 100.

³⁰² Ṭayyibī, *Taqīya*, 208.5, and cf. 209.4. One of the authors who echo him is Abū ‘Alī Khudākaramī (*Do aṣl-i ustuwār yā amr bah ma’rūf wa nahy az munkar*, Qumm 1375 sh., 137.13, and see 69.1; this author is in the tradition of Muṭahharī, see for example *ibid.*, 178.15). The other writer, and the more liberal, is Islāmī Ardakānī (*Amr*, 35.2). Women, he says, have the duty of commanding and forbidding men, who have to accept this from them (*ibid.*, 35.15). Ṭayyibī’s work appears in Islāmī’s select bibliography (*ibid.*, 206.13).

³⁰³ Khumaynī, *Istifhā’āt*, 1:489 no. 22 (it was well known at the time that such nurses were female). Khumaynī also says that, subject to the observance of Islamic norms, a girl may give guidance and assistance to a boy (*ibid.*, 490 no. 23). Gulpāyagānī tells a woman that

4. SUNNĪS AND IMĀMĪ SHĪ‘ITES COMPARED

So far I have presented the evolution of Sunnī and Imāmī attitudes towards forbidding wrong in modern times as two separate stories. It is now time to bring them together by considering the links between them and examining the major similarities and differences.

The links between the two camps have been notably asymmetrical – as might be expected from the disparity in size between the two communities. It is rare indeed for Sunnī authors to show awareness of Imāmī views, let alone a willingness to learn from them. As we have seen, the Egyptian Aḥmad Ḥijāzī al-Saqqā knows and approves of the fact that his Imāmī contemporaries are not following the doctrine attributed to them by the medieval Sunnī scholars.³⁰⁴ The Jordanian Koran commentator Ibrāhīm al-Qaṭṭān (d. 1404/1984) quotes at length, and with implicit approval, a passage from a work of his Imāmī colleague Muḥammad Jawād Maghniyya (d. 1400/1979);³⁰⁵ this is the only such case I have encountered. Egyptian writers sympathetic to the Mu‘tazilites make occasional reference to Imāmī views in accordance with their catholic approach to the resources of the wider Islamic tradition.³⁰⁶ A recent work in this vein by the leftist ‘Ādil al-Sukkarī is a case in point.³⁰⁷ But for all his openness, he knows little about traditional Imāmī thought,³⁰⁸ and nothing about modern developments;

if she can, she should forbid wrong to some improperly dressed women with whom she interacts socially (*Majma‘ al-masā’il*, 1:434 no. 1,324); but the question of her reproving men is not raised. Faḍl Allāh discusses the related question of pious young men admonishing women to whom they are not related, approving the practice with suitable qualifications (*Masā’il*, 2:313 no. 775).³⁰⁴ See above, 530f.

³⁰⁵ Qaṭṭān, *Tafsīr al-tafsīr*, 1:287.5 (to Q3:104), quoting Maghniyya, *al-Tafsīr al-kāshif*, 2:124.1. However, the passage from which Qaṭṭān is quoting includes a footnote citing the *Tafsīr al-Manār* (Maghniyya, *al-Tafsīr al-kāshif*, 2:125 n. 1) which Qaṭṭān discreetly omits (*Tafsīr al-tafsīr*, 1:288.22): in it ‘Abduh compliments the Shī‘ites on their proselytising zeal, and backs this up with a reminiscence about a proselytising Mutawālī wet-nurse whom he took into service in Beirut (Riḍā, *Tafsīr al-Manār*, 4:35.9). Cf. also above, note 4.³⁰⁶ For this philo-Mu‘tazilite trend, cf. above, note 45.

³⁰⁷ ‘Ādil al-Sukkarī, *al-Amr bi’l-ma‘rūf wa’l-nahy ‘an al-munkar ‘inda ‘l-uṣūliyyīn*, Cairo 1993. This author advertises his catholic approach (*ibid.*, 12.3), and makes frequent reference to Mu‘tazilite sources and views (see, for example, *ibid.*, 21.5, 42.17, 69.6, 82.1), while Zaydis, Ibādis and Imāmīs are also represented in his footnotes (see, for example, *ibid.*, 56 n. 4 for the Zaydis and Ibādis, and *ibid.*, 31 n. 2, 39 nn. 2f., 47 n. 3 for the Imāmīs). Most strikingly, he shows no discomfort in lumping together Ja‘far al-Šādiq (d. 148/765) and Ibn Ḥanbal (d. 241/855) as quietists (*ibid.*, 120.8). This gives him wide room to manoeuvre, which he uses to privilege a view intermediate between activism and quietism: we should maintain a truce (*hudna*) with unjust rule until such time as we are in a position to overthrow it (*ibid.*, 128.11, 131.15, 133.5). The elegance of this view is twofold. It enables him to distance himself from the current fundamentalist violence, which he dislikes (*ibid.*, 14.14, and cf. his unfavourable account of Ḥanbalite rampages in Baghdad in the time of Barbahārī (d. 329/941), *ibid.*, 122.15). And yet at the same time he is able to endorse the full range of Ghazzālī’s levels (*ibid.*, 134–8), and to remain a revolutionary at heart.³⁰⁸ See particularly *ibid.*, 37.9, 59.11, 110.9.

the traditional Imāmī doctrine of forbidding wrong has in any case little to offer a leftist. ‘Adl is another contemporary author with Mu‘tazilite sympathies, though he keeps them more in check.³⁰⁹ He knows enough to tell us that some Imāmī scholars consider forbidding wrong to be obligatory by reason, but spoils the effect by going on to say that they hold it not to be obligatory by revelation.³¹⁰

Imāmī scholars, by contrast, are often prepared to make some use of the resources of Sunnī Islam. They like to draw on the first modern commentary on Q3:104, that of ‘Abduh and Riḍā. Thus ‘Abbās-‘Alī Islāmī, a preacher,³¹¹ takes a mass of material from it,³¹² while Nūrī summarises its curriculum for prospective missionaries;³¹³ it is likewise cited in Koran commentaries,³¹⁴ and even finds its way into the newspapers of the Islamic Republic.³¹⁵ Imāmī authors also go back to older Sunnī sources. On occasion they quote Ghazzālī,³¹⁶ and they develop a liking for some Sunnī Prophetic traditions. One is the tradition about the people in the boat;³¹⁷ another states: ‘Each of you is a shepherd, and each of you is responsible for his flock.’³¹⁸ As these examples suggest, the borrowing is not random:

³⁰⁹ For these sympathies, see, for example, ‘Adl, *al-Fiqh al-ghā‘ib*, 252.7, 254.3.

³¹⁰ *Ibid.*, 252.3; cf. above, ch. 11, notes 130f., 241f.

³¹¹ Islāmī, *Do az yād rafta*, 16.9 of the introduction.

³¹² *Ibid.*, 94–112. He also makes use of other Sunnī Koran commentaries, such as those of Fakhr al-Dīn al-Rāzī (d. 606/1210) (*ibid.*, 82.6) and Sayyid Quṭb (*ibid.*, 89.8), though not on the same scale. Cf. also Ja‘far Mīr ‘Azīmī, *Do farīḍa-i buzurg: amr bah ma‘rūf wa nahy az munkar*, Qumm 1372 sh., 20.14.

³¹³ Nūrī, *Amr*, 30.14; cf. above, note 29.

³¹⁴ Maghniyya, *al-Tafsīr al-kāshif*, 2:125 n. 1; Āshtiyānī, *Tafsīr-i numūna*, 3:42.6 (to Q3:104).

³¹⁵ Anon., ‘Guzārishī az simīnār-i amr bah ma‘rūf’, 23 Abān, 4b.68; anon., ‘Amr bah ma‘rūf wa nahy az munkar yā ‘amal bah mas’ūliyat-hā-yi ijtimā‘ī’, no. 3, col. d.19. Cf. also Šādiqī, *Shīwahā*, 123.11.

³¹⁶ Āyatī, ‘Amr ba-ma‘rūf’, 48.2, 53.13 (from Ghazzālī, *Ihyā’*, 2:306.4), 58.21, and cf. 66 nn. 2–4; Muṭahharī, *Hamāsa*, 2:44.18, 45.9; Šādiqī, *Shīwahā*, 138.9 (quoting the *Kīmiyā-yi sa‘ādat*). Both are rather eclectic authors: Muṭahharī quotes Sartre (*Hamāsa*, 2:107.19), while Šādiqī drops such names as Mendeleyev, Jung, Freud, Schopenhauer, Hammurabi, Samuel Smiles, Gustave Le Bon and Max Planck (*Shīwahā*, 18.11, 48.13, 48.16, 64.6, 67.4, 68.5, 113.1).

³¹⁷ Šāfi Gulpāyagānī, *Rāb-i iṣlāh*, 14.13 (citing the *Ṣaḥīḥ* of Bukhārī (d. 256/870)); Sayyid ‘Alawī, *Nizārat*, 81.4 (an unacknowledged paraphrase); Āshtiyānī, *Tafsīr-i numūna*, 3:37.20, whence Khumaynī (d. 1409/1989), *Risāla-i nawīn*, Tehran 1359–67 sh., vol. 4: *Masā‘il-i siyāsi wa huquqī*, collected by ‘Abd al-Karīm Bī-āzār Shīrāzī, 206.3; Abū ‘l-Qāsim ‘Alizāda Ḥasanābādī, *Nizārat-i millī yā amr bah ma‘rūf wa nahy az munkar*, Qumm 1371 sh., 25.18; anon., ‘Amr bah ma‘rūf wa nahy az munkar yā ‘amal bah mas’ūliyat-hā-yi ijtimā‘ī’, no. 1, col. b.37; and cf. Mas‘ūdī, *Pizhūhishī*, 347.12; Muḥammad Taqī Miṣbāḥ Yazdī, ‘Tashrīḥ-i falsafa wa angīza-i amr bah ma‘rūf wa nahy az munkar’, in *Nizārat-i ṣālīḥān*, Tehran 1371 sh., 35.5; Taqaddusī Nīyā, *Dars-hāyī az amr bah ma‘rūf*, 105f. no. 14. For the tradition, see above, note 61.

³¹⁸ Šāfi Gulpāyagānī, *Rāb-i iṣlāh*, 45.12 (citing a Shī‘ite source); Sayyid ‘Alawī, *Nizārat*, 81.1 (saying that it is transmitted by Sunnīs and Shī‘ites alike); Muṭahharī, *Hamāsa*, 2:155.4 (with a footnoted reference to a work of Suyūṭī (d. 911/1505); Islāmī, *Do az yād rafta*,

the theme, once again, is solidarity and organisation. It is in line with this that modern Imāmī writers show a marked interest in the classical Sunnī institution of the censorship (*ḥisba*) and its literature,³¹⁹ and even make occasional reference to the organisation of forbidding wrong in contemporary Islamic countries – by which they presumably intend Saudi Arabia.³²⁰

Turning to politics, Sunnīs and Imāmī Shīʿites have found themselves in rather different situations in recent decades. On the Imāmī side, the picture has been clear-cut. The fact that Iran is a major Islamic country, and also the only major Imāmī one, has given it an indisputable predominance in the Shīʿite world. This is fully reflected in its intellectual role; most of the Imāmī authors quoted in this chapter are Iranian, and it is the Iranian political scene to which their thinking is primarily related. Elsewhere, Imāmī communities usually find themselves within the borders of countries in which other communities predominate, often exercising outright hegemony – a situation that has not changed in the last few decades, and may well not do so in any foreseeable future. Meanwhile in Iran, the political context of Imāmī thought has changed sharply. Before the Islamic revolution, Imāmism faced a state that was at best inhospitable, and at worst inimical to its clergy; the choice was between putting up with the state and confronting it. Since the revolution, the state has been Islamic by definition, and revolution is now for export only; the choice has been between

11.8 (without a source); Mīr ʿAzīmī, *Do farīda-i buzurg*, 7.12 (without a source); Ḥasanābādī, *Nizārat-i millī*, 94.2 (with a reference to the *Ṣaḥīḥ* of Muslim (d. 261/875)); Masʿūdī, *Pizhbūshī*, 169.13 (citing both a Sunnī source and a rather recondite Shīʿite one). Khumaynī showed a liking for the tradition in the first year of the revolution (*Ṣaḥīfa-i nūr*, 7:34.9, 8:47.7, 9:194.13). It is mentioned once in Majlisī's *Bihār* (75:38.23). Note also the pride of place given to the Sunnī 'three modes' tradition in Muḥammad Mahdī al-Āshfī, 'Dirāsa fiqhīyya mūjaza ʿan ḥukm al-Islām fi masʿalat al-ʿtirād ʿalā ʿl-anzima waʿl-ḥukm', *al-Nūr*, no. 44 (Shaʿbān 1415/January 1995), 37a.33, and cf. 37a.20 (I am indebted to Yitzhak Nakash for sending me a copy of this article). Other Sunnī traditions are quoted by Āyatī ('Amr ba-maʿrūf', 65.7, 65.19, 66.7).

³¹⁹ Muṭahharī, 'Amr ba-maʿrūf', 78–82; Muṭahharī, *Ḥamāsa*, 2:197.21 (with a warm word for Orientalists, may God forgive their fathers, who publish such texts as the *Maʿālim al-qurba* of Ibn al-Ukhuwwa – the reference is to Reuben Levy, though he is not named); Milānī, 'al-Amr bi'l-maʿrūf', 46.12 (with reference to the *Maʿālim al-qurba*, *ibid.*, 47.4); Abū ʿl-Faḍl Shakūrī, *Fiqh-i siyāsi-i Islām*, Qumm 1361 sh., 194.4 (with the suggestion that, with some revision of detail, the *Maʿālim al-qurba* could be adopted by the courts of the Islamic Republic in the struggle against wrongs, *ibid.*, 195.13); anon., 'Amr bah maʿrūf wa nahy az munkar yā ʿamal bah masʿūliyat-hā-yi ijtimāʿī', no. 2, col. f.49, and no. 3, col. a.1; Islāmī Ardakānī, *Amr*, 59–74 (with an account of the *Maʿālim al-qurba*, *ibid.*, 67.3); Khudākaramī, *Do aṣl-i ustuwār*, 77–106 (with many references to the *Maʿālim al-qurba*); Ramaḍān Fuʿādiyān, *Sayrī dar farīda-i amr bah maʿrūf wa nahy az munkar*, Qumm 1375 sh., 87–97 (with a long extract from Muṭahharī).

³²⁰ Tihrahī, *Amr*, 156.9; Ibrāhīm Amīnī in anon., 'Guzārīshī az siminār-i amr bah maʿrūf', 23 Abān, 4b.61; and cf. below, note 330.

identifying fully with the regime and pursuing a mildly dissident course within the limits of the system. This transition is readily apparent in the evolving doctrine of forbidding wrong, as it moved with considerable fanfare from quietist pessimism to revolutionary optimism, and then inconspicuously gave way to post-revolutionary concern for social order.³²¹

By comparison with the Imāmī communities, the Sunnī world is enormously diverse and confusing. There is no one country whose politics set the pace, no single defining event, and in place of the stark contrast between the Shāh and Khumaynī there are many shades of grey. Few regimes are as adamantly secular as was that of the Shāh, while revolutionary Islamic regimes exist only in countries such as the Sudan and Afghanistan which are marginal to the intellectual life of the Muslim world; the one other self-consciously Islamic regime, that of Saudi Arabia, is deeply suspect in the eyes of many Islamic activists. Small wonder that the history of Sunnī political values as seen in modern Sunnī doctrines of forbidding wrong shows no clear and unequivocal evolution. Ironically, and in marked contrast to the Imāmī evolution, the most striking developments are in a quietist direction: the doctrine that performance of the duty ‘with the hand’ is for the state,³²² and the effective voiding of the duty by Sayyid Quṭb.³²³

The main concern that Sunnīs and Imāmīs have in common is solidarity and organisation.³²⁴ It is in line with this that neither group shows much excitement about the humble traditional core of forbidding wrong: the duty of the individual to right wrongs as and when he comes across them, and to the best of his knowledge and abilities. The increased attention paid to the duty by modern Imāmī scholars³²⁵ does not point to a revival of interest in this traditional core. Instead, the driving concerns of both Sunnīs and Imāmīs are at once more ambitious and characteristically modern, even when authentic features of the tradition can be adduced in support. Rāshid is excited to discover that the medieval scholars did on occasion touch on the law of Islamic activism.³²⁶ Politically engaged Imāmīs were doubtless just as gratified to encounter in a work of the fourth/tenth-century author Ibn Shu‘ba a speech of the martyr Ḥusayn in which forbidding wrong is the central term of a cascade of revolutionary rhetoric.³²⁷ But it is precisely the rarity of such passages in the traditional

³²¹ See above, 533–41. ³²² See above, 523–5. ³²³ See above, 528f.

³²⁴ See above, 516–18, 542. ³²⁵ Cf. above, notes 200, 207. ³²⁶ See above, 517f.

³²⁷ See the anthology of Maḥmūd Akbarzāda, *Ḥusayn pīshwā-yi insānhā*, Mashhad 1343 sh., 158.4; Khumaynī (d. 1409/1989), *al-Hukūma al-Islāmiyya*, n.p. n.d., 102.13 (the key passage, *ibid.*, 104.1, is repeated *ibid.*, 112.3); Khumaynī, *Wilāyat-i faqīh dar khuṣṣ-i ḥukūmat-i Islāmī*, n.p. n.d., 124.14 (cf. Nagel, *Staat und Glaubensgemeinschaft*, 2:317f.);

sources that makes them finds, and by the same token the concern for organisation is very much a modern one. It is the result of living in a world in which the competitors for political power, whether states or parties, tend to be far more organised than ever before.

The countervailing tendency to marginalise what was previously central becomes explicit in some recent discussions. On the Sunnī side, we have seen how Quṭb downplays the individual aspect of the duty.³²⁸ On the Imāmī side, such thinking abounds. Sharīʿatī denounces the reduction of the duty to a merely personal (*fardī*) one,³²⁹ and the restriction of its scope to such trivialities as beards, hair and dress³³⁰ – this at a time when the wrongs that really matter are such things as international imperialism, world Zionism, colonialism old and new, not to mention infatuation with the West (*Gharbzadagi*).³³¹ Ṭayyibī describes forbidding wrong as ‘the most social of social questions’;³³² he laments the fact that in recent centuries its ‘social, progressive and revolutionary content’ has been distorted, reducing the duty for the most part to a personal (*infirādī*) affair of little or no significance.³³³ Muntaẓirī speaks of the performance of the duty by ‘ordinary people in minor contexts’ (*al-ashkhās al-ʿādiyyīn fī ʿl-mawārid al-juzʿiyya*);³³⁴ this petty form of the duty is clearly not much of a contribution to the grand objective of ‘reforming society (*iṣlāḥ al-mujtamaʿ*) and extirpating corruption and wrong’ – the purpose for which, he avers, the duty was created.³³⁵ Nūrī formalises this attitude by distinguishing two circles.³³⁶ In the first, our agenda is the total reform of society – moral, credal, economic and social – through the preparation and organisation of the means appropriate for the realisation of right in its broadest sense.³³⁷ In the second, we are simply concerned with specific rights and wrongs that are actually happening or likely to do so.³³⁸ God, as might be expected, is

Ṭayyibī, *Taqīya*, 158.11. For Ibn Shuʿba see above, ch. 11, note 49. Akbarzāda’s anthology represents lay, not clerical activism; his immediate source for the speech is a work by Jawād Fāḍil which was published in 1334 sh./1955 (I am indebted to Azar Ashraf for obtaining this date for me).

³²⁸ See above, note 172. His dismissive reference to *iṣlāḥāt juzʿiyya* is echoed by Yāsīn (*Jihād*, 181.10, on not wasting all one’s time on *ʿilāj al-juzʿiyyāt*), and he in turn is quoted by Ibn Hājī (‘Ijāda’, 10e.55). Ibrāhīm Dasūqī al-Shahāwī has a schema distinguishing three levels of *hisba*, of which the third is *al-daʿwa al-juzʿiyya* (*al-Ḥisba fī ʿl-Islām*, Cairo 1962, 26.5); while he does not actually disparage it, he passes over it very quickly (*ibid.*, 27.1). Cf. also Gómez García, *Marxismo*, 339. ³²⁹ Sharīʿatī, *Shīʿa*, 71.17, 74.11, 75.15.

³³⁰ *Ibid.*, 74.13, 75.5; cf. also the disparagement of the Saʿūdī practice of *al-amr biʿl-maʿrūf*, *ibid.*, 71.6. ³³¹ *Ibid.*, 76.1, and cf. 75.8. ³³² Ṭayyibī, *Taqīya*, 160.7.

³³³ *Ibid.*, 160.17. He concedes a little later that action on a personal basis (*iṣlāḥāt-i fardī*) is indeed part of the duty, but he does not want to see more important aspects of it sacrificed to this (*ibid.*, 163.17). See also *ibid.*, 254.1. ³³⁴ Muntaẓirī, *Dirāsāt*, 2:256.13.

³³⁵ *Ibid.*, 251.14. ³³⁶ See Nūrī, *Amr*, 66.23, where the distinction is introduced.

³³⁷ *Ibid.*, 69.12. ³³⁸ *Ibid.*, 67.5, and cf. 65.15, 66.16.

much more concerned with the first circle.³³⁹ Other Imāmī scholars express similar attitudes.³⁴⁰

A Sunnī text that indirectly conveys a strong sense of the shift is found in a volume containing a separate printing of Ghazzālī's treatment of forbidding wrong.³⁴¹ In this format, this classic text becomes a little book of some 130 pages. It is not a scholarly edition, and was presumably aimed at a wide market. It is, however, accompanied by a short introduction by a scholar well known in the West, Riḍwān al-Sayyid. Sayyid's main concern in these pages is clearly to forestall the likely disappointment of the Muslim general reader. You might expect, he tells him, that Ghazzālī would take the opportunity of a discussion of forbidding wrong to set out the social and political problems confronting the Muslim world of his day, and propound solutions to them. And yet for whatever reason, Ghazzālī elected not to do this.³⁴² Sayyid's sense of what the contemporary reader might be looking for in a tract on forbidding wrong is doubtless accurate.³⁴³ There are, of course, passages here and there in Ghazzālī's discussion that such a reader – like Rāshid – will find intensely rewarding, but all in all they are few and far between.³⁴⁴ The core of Ghazzālī's message, however well articulated, is not one that speaks to the concerns of political Islam today.

While modern Sunnī and Imāmī thinkers show the same interest in getting organised, there is a significant divergence with regard to the identity of the organisers. On the Imāmī side the clergy has played the central role, whereas among the Sunnīs their position has been rather marginal. One might infer from this that Imāmī doctrine would be likely to differ sharply from that of the Sunnīs in conferring a much more prominent role in forbidding wrong on the clergy. But whatever the situation in real life, no such prominence is reflected in doctrine; as in the past, forbidding wrong is not a part of the law-book in which clerical authority is strongly entrenched.³⁴⁵

³³⁹ *Ibid.*, 69.22.

³⁴⁰ See Āshtiyānī, *Tafsīr-i numūna*, 3:36.2; and cf. Akbarī, *Tahḥīl*, 140.3, 142.2, and above, note 235.

³⁴¹ Ghazzālī (d. 505/1111), *Kitāb al-amr bi'l-ma'rūf wa'l-nahy 'an al-munkar min Ihya' 'ulūm al-dīn*, Beirut 1983. ³⁴² See esp. *ibid.*, 5.16, 6.18, 8.1.

³⁴³ Sayyid writes as if he himself were looking for it, but given his wide knowledge of medieval Islamic texts, he would hardly expect Ghazzālī's treatment of *al-amr bi'l-ma'rūf* to be a tract in the same genre as Lenin's *What is to be done?*

³⁴⁴ For a particularly striking passage, see above, ch. 16, 445f.

³⁴⁵ The main exception is, of course, Khumaynī's version of the doctrine of the imam's permission (see above, notes 243f.). Otherwise, authors may emphasise the special obligations of the clergy (see above, note 206, for Khumaynī), or state that the clergy have a special role in carrying out the duty (Nūrī, *Amr*, 28.9; Nūrī Ḥātim, *al-Amr bi'l-ma'rūf wa'l-nahy 'an al-munkar*, Qumm n.d., 220.10 (the most elaborate discussion I have seen;

Where the contrast does signify is in the relationship of modern to traditional scholastic thought. In the Sunnī world, the austere traditionalist intellectual heritage of the scholars has combined with their marginalisation by social and political change to make it hard for their scholasticism to provide convincing Islamic solutions to modern problems. Maṭʿanī's literary polemics on righting wrongs 'with the hand'³⁴⁶ provide a good example of their predicament. It is not just that neither the state nor 'religious youth' (*al-shabāb al-mutadayyin*), the two forces that define the political context of his thinking,³⁴⁷ are likely to pay much attention to him. What he says is in itself problematic. When he attacks the view that action 'with the hand' is reserved to the authorities, the traditional Sunnī horror of doctrinal innovation is on his side. Like many a medieval scholar, he wins by rightly insisting that his position is not some innovation he thought up for himself (*lam abtadi'hu min 'indi nafsi*).³⁴⁸ In the same vein, he describes the view he is rejecting as an unknown and innovatory interpretation (*tafsīr bid'i ghayr ma'rūf*),³⁴⁹ and as a recent opinion which not one of the scholars of the community had held in the past (*qawl muḥdath lam yaqul bihi aḥad min 'ulamā' al-umma*).³⁵⁰ Having said all this in the manner of a medieval traditionalist, it is superfluous for him to argue that the position he is attacking is a bad idea. But when he puts forward his own idea – severely limiting the type of action 'with the hand' permitted to individuals – he is hoist with his own petard. We wait in vain for the roll-call of authoritative opinions from the past which alone could make his view respectable. Among the Sunnīs, therefore, new thinking – and in a new world there has to be some – cannot easily take place within the framework of the scholastic heritage; instead the locus of intellectual creativity of necessity shifts outside it. Among the Imāmīs, this does not have to be so. In their discussions of forbidding wrong, the modern Imāmī scholars have attacked and gone behind the traditional view of the conditions of obligation in a way that Maṭʿanī could never have done. Ṭayyibī, for example, invents a novel conception of a 'collective obligation'. He then considers the possibility that someone might object that it is new, and responds 'So be it!'³⁵¹ Other Imāmī scholars are not so brazen, but they are significantly less constricted than their Sunnī colleagues; witness the elaboration of the

the preface is dated 1416/1996); Islāmī Ardakānī, *Amr*, 34.11). But they do not go beyond this. ³⁴⁶ See above, notes 133f., 145–8.

³⁴⁷ See, for example, Maṭʿanī, *Taghbyr al-munkar*, 3.8. ³⁴⁸ *Ibid.*, 4.8.

³⁴⁹ *Ibid.*, 4.14, and cf. 15.24. ³⁵⁰ *Ibid.*, 45.11.

³⁵¹ Ṭayyibī, *Taghiya*, 166.13. He later proudly repeats the word 'new' in referring to his concept (*ibid.*, 253 n. 2, 261.7).

essentially novel doctrine of the prior duty to secure the prerequisites for forbidding wrong.³⁵²

The collective and political orientation of the Islamic revival also helps to explain another feature of contemporary writing on forbidding wrong in both communities: the fact that the traditional concern with rights of privacy³⁵³ receives relatively little attention.

On the Sunnī side, the old material may be repeated, but it does not generate excitement.³⁵⁴ Thus 'Awda stipulates that a wrong must be manifest (*ẓāhir*) without spying or prying, among other things because God has said so (Q49:12), and because of the inviolability (*ḥurma*) of homes and persons until such time as sin is apparent.³⁵⁵ To emphasise the point he relates the story of the three sins of the caliph 'Umar (r. 13–23/634–44).³⁵⁶ But when there is reliable evidence or good reason to believe that someone is engaging in covert wrongdoing in his home, these restrictions no longer apply.³⁵⁷ The presentation is clear and balanced, but there is nothing electric about it. Likewise Khālid al-Sabt has some short discussions of aspects of privacy.³⁵⁸ Thus the first sets out the conditions under which it may or may not be permissible to refrain from exposing sins (*ṣatr*); but he says nothing here of any conditions under which one has an actual duty to refrain, or of any rights of sinners to privacy.

On the Imāmī side, where privacy was never a standard topic in the traditional discussion of the duty,³⁵⁹ we usually hear even less of it. Imāmī authors attack Western individualism just as Sunnīs do,³⁶⁰ and they frequently report and rebut the invocations of freedom and charges of meddlesomeness made by those subjected to forbidding wrong.³⁶¹ But this

³⁵² See above, 542–5. ³⁵³ See above, ch. 17, 479–82.

³⁵⁴ See, in addition to the examples that follow, Bayānūnī, *Amr*, 44–7; Yāsīn, *Jihād*, 192f. no. 12; Muḥammad 'Alī Mas'ūd, *Amr*, 17.1; 'Amrī, *Amr*, 320–4; Maḥmūd, *Uṣūl*, 204.10; Sukkarī, *Amr*, 82–6. For a recent Sunnī study of the law of privacy in Islam, see below, ch. 20, note 24; but the book is not concerned with forbidding wrong.

³⁵⁵ 'Awda, *Tashrī'*, 1:502.20.

³⁵⁶ *Ibid.*, 503.8. For the story, see above, ch. 4, note 269, and ch. 17, note 85; it is also told by Bayānūnī (*Amr*, 45.1), 'Amrī (*Amr*, 321.12) and Sukkarī (*Amr*, 83.5).

³⁵⁷ 'Awda, *Tashrī'*, 1:504.4. ³⁵⁸ Sabt, *Amr*, 296.13, 298.7, 316–19.

³⁵⁹ It appears only, I think, in the accounts of authors who base themselves directly or indirectly on Ghazzālī (Fayḍ, *Mahajja*, 4:109.5; Muḥammad Maḥdī al-Narāqī, *Jāmi' al-sa'ādāt*, 2:242.14; Aḥmad Narāqī, *Mi'rāj al-sa'āda*, 516.3). For Ghazzālī's discussion, see above, ch. 16, 436.

³⁶⁰ Miṣbāḥ Yazdī, 'Tashrīh', 34.1, and cf. Mas'ūdī, *Pizhūbīshī*, 169.16, 346.2. For the Sunnīs, see above, note 61.

³⁶¹ Akbarī gives a practical list of objections which those subjected to the duty come out with, together with apt replies for the pious forbider of wrong. The first is 'I'm a free person!' (*āzād-am*); the second is 'This has nothing to do with you!', or, alternatively, 'Don't

does not lead them to a systematic discussion of the limits placed on intrusion by traditional Islamic values. Themes connected with privacy appear here and there in the modern Imāmī literature on the duty,³⁶² but there is no move to consolidate them into a bulwark against abuse, whether perpetrated by the state apparatus or by individual pietists.

To this there is one significant exception, though it is not entirely isolated inasmuch as the author in question owes some of his inspiration to Muṭahharī. One of many recent books on forbidding wrong by junior clerics is by Sayyid Ḥasan Islāmī Ardakānī. This one is skilfully written and nicely produced.³⁶³ It opens with a graphic scene of a city asleep – we are

interfere!’ (*Tahfīl*, 204.3, 204.7). For a reasoned response to this challenge, which starts by taking seriously the value of individual freedom (*hurriyyat al-fard*) and the fact that *al-amr bi'l-ma'rūf* is a form of intrusion (*tadakhkhul*) which limits this right, see Ḥātim, *Amr*, 207–13. See also Gulpāyagānī, *Majma' al-masā'il*, 1:433 no. 1321 (on a man who both drinks and recites the Koran in his home, and claims that this is nobody else's business); 'Alī Kūrānī, *Amr bah ma'rūf wa naby az munkar*, Tehran 1373 sh., 3.9, 7.12 (a much reprinted little work first published in 1359 sh.; the author says that of course *al-amr bi'l-ma'rūf* means interfering in other people's affairs, and naturally people with their heads stuffed full of Western ideas don't like it); Mişbāh Yazdī, 'Tashrīḥ', 34.1 (complaining that as a result of Western influence, contemporary society regards forbidding wrong as meddlingness (*fuḍūlī*), and noting the characteristic response 'what's it to you?' (*bah to chih?*)), and cf. *ibid.*, 36.16; Mas'ūdī, *Pizhūhishī*, 169.16 (reporting the equation of forbidding wrong with improper interference (*dikhālat*) in the affairs of others), and cf. *ibid.*, 346.2; Taqaddusī Nīyā, *Dars-hāyi az amr bah ma'rūf*, 84.4 (resolving the conflict in a few lines with the argument that human freedom does not consist in doing bad things), 105.12 (appealing to the tradition about the people in the boat); Muḥsin Qirā'atī, *Amr bah ma'rūf wa naby az munkar*, Tehran 1375 sh., 76 no. 2 (describing freedom as a holy word in the shadow of which thousands of unholy deeds are done); and below, ch. 20, note 28.

³⁶² For occasional brief mentions or discussions of the prohibition of spying, see Šāfi Gulpāyagānī, *Rāh-i islāh*, 83.16, in the section reflecting the views of Burūjirdī; Qirā'atī, *Amr*, 141.14, 299.13; Khudākaramī, *Do aṣl-i ustuwār*, 94.2. Sometimes the category of hidden sin is mentioned (Qirā'atī, *Amr*, 153.15; 'Abd al-Ḥusayn Dastghayb, *Amr bah ma'rūf wa naby az munkar*, Tehran 1371 sh., 15.4, in the introduction by Muḥammad Ḥāshim Dastghayb; also, implicitly, Khumaynī, *Tahrīr*, 1:468 no. 6). Bihishti underlines the importance of the knowledge condition by contrasting it with unwitting intrusion into the affairs of others ('Rūḥāniyāt', 160.16). For Muṭahharī's brief but pregnant remarks on privacy, see below, notes 373–6. For Khumaynī's emphasis on respect for privacy in his pronouncements in the winter of 1403/1982–3, see *Šahīfa-i nūr*, 17:106f. nos. 6f., 118.1, 145 no. 5; for the political context, see Bakhshash, *Reign of the Ayatollahs*, 227–32.

³⁶³ The book was published in 1375 sh./1996 in Qumm, the centre of religious publishing in Iran; it is the fifth of a projected 110 volumes in a series entitled, with an obvious French resonance, 'What do we know about Islam?' (*Az Islām chih midānīm?*). The series is under the direction of Hujjat al-Islām Mahdī Karrūbī, who has been described by Douglas Jehl as 'a longtime anti-Western firebrand who has become a Khatami ally' ('New US–Iran dialogue', *The New York Times*, 6 June 1999, WK 4). The book is in Persian, the language in which clerics write for laymen. The author had already published a book on *al-amr bi'l-ma'rūf* with the Ministry of Culture and Guidance in 1373 sh./1994 (see Islāmī Ardakānī, *Amr*, 208.7), so he is not an outsider; I have not seen this earlier book.

not told when or where – and a man patrolling the streets.³⁶⁴ He comes to a house, sniffs wrongdoing, finds the door closed, and enters by climbing over the wall and descending through the roof. He catches a man and a woman in their cups, and denounces the man as an enemy of God for his sin. The malefactor immediately responds by accusing the intruder of not one but three contraventions of divine law: spying on him, entering his home other than by the door, and doing so without asking his leave or greeting him. Thus someone who sought to expose the sin of another found that he himself had fallen into no less than three mortal sins. It is only now that the lay reader, who might at first have been under the disturbing misapprehension that the scene was set in our own dear Islamic Republic, gets to learn that the triple sinner was the second caliph, ‘Umar ibn al-Khaṭṭāb. Not being an old-fashioned bigot, Islāmī does not curse this traditional enemy of the Shī‘ites; but neither does he find it necessary to bless him.³⁶⁵ All told, this is not a story calculated to raise ‘Umar in the esteem of the Imāmī reader;³⁶⁶ by the same token, and more to the point, it is well calculated to give intrusiveness a bad name among good Imāmīs today.

Later in the book, Islāmī uses another strategy to the same effect. In line with Muṭahharī and those who followed him, he gives considerable attention to the Sunnī institution of the censorship (*ḥisba*) as a mechanism for forbidding wrong.³⁶⁷ By the time Islāmī was writing, of course, the novelty of Muṭahharī’s discovery had long worn off. What excites Islāmī is not so much the institution itself as the reasons for its decay over the centuries.³⁶⁸ Of these reasons, there is one he presents with particular eloquence: the abusive behaviour of those purportedly engaged in forbidding wrong. In this way the very institution that was supposed to be the solution itself became part of the problem.³⁶⁹ Islāmī returns to the theme of abuse in the context of the question why the duty is in such a bad way in our own age, for all that we live at a time when Islam is being revived and an Islamic Republic has been established.³⁷⁰ He reviews a number of factors, but one stands out: abuses which have given the duty a bad name.³⁷¹ There is, he

³⁶⁴ *Ibid.*, 7.3. Islāmī is not the only modern Imāmī author on forbidding wrong to mention the anecdote, but he is alone in highlighting it in the way he does (cf. Fu‘ādiyān, *Sayrī*, 254.21; Khudākaramī, *Do aṣl-i ustuwār*, 94.4). For modern Sunnī writers, see above, note 356.

³⁶⁵ Islāmī Ardakānī, *Amr*, 8.7. He has the story from Ghazzālī (*ibid.*, 8.18). For current standards of political correctness in Iran with regard to the first three caliphs, see Buchta, *Die iranische Schia*, 71–4.

³⁶⁶ This is why Muḥsin al-Fayḍ (d. 1091/1680) liked the story (see above, ch. 16, note 185).

³⁶⁷ See above, note 319. ³⁶⁸ Islāmī Ardakānī, *Amr*, 69–73.

³⁶⁹ *Ibid.*, 71.4, and cf. 159.7. ³⁷⁰ The question is posed *ibid.*, 77.7.

³⁷¹ *Ibid.*, 82–7. Islāmī is not alone in surveying the reasons why *al-amr bi’l-ma‘rūf* is not doing as well as it should, or why people are reluctant to perform or submit to the duty;

says, no need to call witnesses; we have all encountered shamefully abusive conduct on the part of people supposedly engaged in forbidding wrong – people whose actions lead in fact to the ruin of the duty, and indeed of religion itself.³⁷² He then enlists in this protest an almost incontrovertible authority: the martyred Muṭahharī, a man who devoted his life to reviving the duty and died for the cause of establishing an Islamic government.³⁷³ In his talk of 1380/1960, Muṭahharī had indeed shown strong antipathy to thuggery and intrusion. Referring to some recent activities carried out in the name of forbidding wrong, he commented that, if this was indeed what forbidding wrong amounted to, it was better that it should remain in oblivion.³⁷⁴ We only have the right to intervene, he insisted, where wrongs are out in the public domain; we have no right to engage in spying (*tajas-sus*) and interference (*mudākhalā*) in matters relating to people's private lives (*zindagī-i khuṣūṣī-i mardum*).³⁷⁵ He had then told a searing story of over-zealous religious students who raided a wedding by scrambling across the rooftops, smashing musical instruments, and boxing the ears of the bride; later they were roundly rebuked by a senior cleric for their multiple sins.³⁷⁶ Islāmī, of course, makes excellent use of this material.³⁷⁷ All this is exciting, but also perhaps a trifle alarming: is the virtuous reader not in danger of being drawn into a profoundly subversive attack on the entire apparatus of religious enforcement in the Islamic Republic? Islāmī has thought of this, and slips in a timely reassurance. Fortunately, he tells us, the horrible activities to which Muṭahharī was alluding are quite unknown today, and it is devoutly to be hoped that such things will never again sully the purity of Islam.³⁷⁸ The reader relaxes, albeit still slightly puzzled by the information that we have *all* witnessed abuses of this kind. Many of us can scarcely remember the bad old days before the revolution; and even if we do, over-zealous religious policing is not conventionally included among the crimes of the fallen regime.

When it comes to legal prescription, Islāmī again has a strategy. He proceeds by enlarging and enriching the category of the 'norms' (*ādāb*) of the duty which had originally been developed by Ghazzālī.³⁷⁹ Happily, Islāmī

but other writers do not include such abuses among these reasons (Mas'ūdī, *Pizbūhishī*, 320–32; Ḥatīm, *Amr*, 227–38; Akbarī, *Tahlīl*, 144–53, 189–203; Qirā'atī, *Amr*, 101–7).

³⁷² Islāmī Ardakānī, *Amr*, 83.5. ³⁷³ *Ibid.*, 83.13.

³⁷⁴ Muṭahharī, 'Amr ba-ma'rūf', 84.12. ³⁷⁵ *Ibid.*, 84.20. ³⁷⁶ *Ibid.*, 85.5.

³⁷⁷ For the story of the students on the rooftops, see Islāmī Ardakānī, *Amr*, 84.16.

³⁷⁸ *Ibid.*, 84.3.

³⁷⁹ *Ibid.*, 171–98. For Ghazzālī's norms, see above, ch. 16, 441f. That Islāmī is aware of this parentage is suggested by his observation that the norms have been discussed more by writers on ethics (*akhlāq*) than by jurists (*ibid.*, 173.1); a leading writer on ethics is none other than Ghazzālī (*ibid.*, 113.2).

is able to find an Imāmī precedent for the category; in any case, as he goes on to indicate, bringing a number of points together under this heading is to an extent just a matter of convenience.³⁸⁰ Having justified his use of the category, he goes on to present his set of ten norms. The first is that there must no spying (*tajassus*).³⁸¹ Indeed the most important point there is to be made about forbidding wrong, he tells us, is that the forbidders should abstain from interference in the private lives of others (*dikhālat dar zindagī-i khuṣūṣī-i kasān*) and from prying into their wordly affairs.³⁸² What Islam requires is the elimination of manifest sin; secret sin is reserved for the jurisdiction of God.³⁸³ The second, closely linked norm is that there should be no curtain-ripping (*parda-darī*), in other words no exposure of hidden sins.³⁸⁴ In all this, Islāmī's leading quoted sources are Ghazzālī and Sa'dī (d. 691/1292); Imāmī authorities tend to take a back seat. Looming behind these Sunnīs, it does not take a very sharp eye to discern the ghostly presence of Western conceptions of rights. Sinners, Islāmī remarks, are human like us; they too have rights, and these are not to be trampled underfoot.³⁸⁵

Islāmī's ideas are certainly not representative of the prevailing religious culture in Iran. But they are likely to have considerable resonance for a significant part of the educated population. What this means for the future could perhaps be expressed in a highly conditional sentence. If civil society is fated to remain a globally relevant notion,³⁸⁶ if Iran – and other Islamic countries – are to become recognisably civil societies, and if they are destined to do so under an Islamic aegis, then Islāmī's thinking about forbidding wrong can help us to imagine what such a development might look like.

³⁸⁰ *Ibid.*, 172.8. The work he cites is not available to me.

³⁸¹ *Ibid.*, 173–7, esp. 173.16. See also *ibid.*, 9.14. ³⁸² *Ibid.*, 173.7.

³⁸³ *Ibid.*, 173.9. See also *ibid.*, 9.12, 175.1, 175.5 (quoting Ghazzālī and the younger Narāqī (d. 1245/1829), who owes his Ghazzālian material to his father, see above, ch. 16, note 192), 176.12.

³⁸⁴ *Ibid.*, 178–81. This is a vernacular rendering of *ṣatr*, as is apparent from the Sunnī Prophetic traditions quoted. ³⁸⁵ *Ibid.*, 159.8. See also *ibid.*, 182.5, 196.15.

³⁸⁶ I choose the word 'notion' rather than 'concept' advisedly. I do not know anyone who knows exactly what civil society is, but most of us have some broad ideas about what it is not.

CHAPTER 19

ORIGINS AND COMPARISONS

1. INTRODUCTION

The expression ‘to command right and forbid wrong’, for all its salience in Islam, is not without parallels outside it. In England it was proposed in AD 1801 to establish a ‘Society for the Suppression of Vice and the Encouragement of Religion and Virtue’.¹ A German legal document of AD 1616 offers the phrase ‘recht gebieten und unrecht verbieten’ with regard to the conduct incumbent on the judge of a certain court.² Blackstone (d. AD 1780) in his celebrated treatise on the laws of England defines municipal law as ‘a rule of civil conduct prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong’.³ His definition echoes one already adopted by the Stoics. Thus Chrysippus (d. 207 BC) opened his book on law with the statement that the law must, among other things, command what should be done and forbid what should not be done.⁴ This in turn echoes Aristotle (d. 322 BC).⁵ But it

¹ D. Thomas, *A long time burning: the history of literary censorship in England*, London 1969, 188f. (drawn to my attention by Frank Stewart). The society was indeed established, and proceeded to concern itself mainly with pornography.

² G. F. Führer, *Kurze Darstellung der Meyerrechtlichen Verfassung in der Grafschaft Lippe*, Lemgo 1804, 327 (cited in J. Grimm, *Deutsche Rechtsalterthümer*, Leipzig 1899, 1:38, which was drawn to my attention by Frank Stewart). I am indebted to the library of the Oberlandesgericht Celle for a copy of the relevant pages of Führer’s work.

³ William Blackstone (d. AD 1780), *Commentaries on the laws of England*, Oxford 1765–9, 1:44; and cf. his commentary, *ibid.*, 53–8 (drawn to my attention by Frank Stewart).

⁴ H. von Arnim, *Stoicorum veterum fragmenta*, Stuttgart 1978–9, 3:77 no. 314 (I am indebted to Ruth Webb for help with this text). A similar formulation is already quoted from Zeno of Citium (d. 263 BC), the founder of the Stoic school (*ibid.*, 1:42 no. 162; and cf. *ibid.*, 3:158 nos. 613f.). The definition of Chrysippus is quoted near the beginning of the *Digest* of Justinian (r. AD 527–65) (ed. T. Mommsen and trans. A. Watson, Philadelphia 1985, 11), and Cicero (d. 43 BC) says something similar (*De republica*, III.xxii.33 (= ed. and trans. C. W. Keyes, London and Cambridge, Mass. 1951, 210.5 = 211)). I was put on the track of this material by Patricia Crone.

⁵ Aristotle (d. 322 BC), *Nicomachean ethics*, V.ii.10 (= ed. H. Rackham, London and Cambridge, Mass. 1956, 264.21 = 265).

would be hard to argue that all occurrences of such phrases go back to a single origin. As will be seen later in this chapter, they also crop up among the Buddhists and Confucians,⁶ and further parallels doubtless lurk elsewhere in the world's literatures.

If the phrase has such echoes in other cultures, should we think of the duty itself as a universal human value? Or is there in fact something peculiarly Islamic about it? The basic principle involved in the value is that if one encounters someone engaged in wrongdoing, one should do something to stop them. My guess is that this principle, or something like it, is to be found embedded (though not necessarily articulated) in just about all human cultures.⁷ That is to say, I would expect that in almost any culture there will be occasions on which it makes sense to say something like: 'You can't just stand there and let him do that.' I have no idea how one might amass the empirical evidence that would put such a guess on a firmer foundation. The principle does not have a name either in common English or in the technical language of anthropologists; consequently ethnographers are not looking for the value, and if they happen to describe it, they are unlikely to signal this in a way that makes the information easy to locate in their ethnographies. In what follows, I shall simply assume that the value is pretty much universal.

The existence of this degree of uniformity would still leave room for a great deal of variation between cultures, not to mention the individuals who belong to them. Most obviously, there are extensive differences between cultures regarding what is considered right or wrong: witness the collision between West African and Islamic attitudes to female nudity.⁸ But while such differences are clearly crucial for the practice of the value, they are not intrinsic to the way in which it is conceived.

More interestingly for our purposes, there are likely to be considerable variations regarding the extent to which our value is identified or emphasised in the moral vocabularies of different cultures. The same is true of the relative weight attached to it in relation to such antithetical principles as minding one's own business and keeping out of trouble. It would be a plausible guess that the vernacular subcultures of the Islamic world have tended to assign more weight to such antithetical principles than the mainstream religious tradition has done;⁹ and it would not be surprising to find comparable differences obtaining between cultures at large. This would

⁶ See below, notes 113, 121.

⁷ Perhaps the Ik as described by Colin Turnbull lacked it; but this was a society that had lost its human values in general (C. M. Turnbull, *The mountain people*, New York 1972).

⁸ See above, ch. 14, note 228. ⁹ Cf. above, ch. 17, 498f.

surely apply even within the set of the world's historic literary cultures. Here again, I do not know how one would go about making comparisons on a serious scale – neither the tables of contents nor the indices of ethnographies being of much assistance in this regard. I have accordingly made no serious attempt in this direction, except in one case of obvious historical relevance: pre-Islamic Arabia.

There is, however, a relevant difference between the literary heritages of high cultures which is relatively accessible to comparative exploration. This is the extent to which they subject our value to formal, systematic elaboration. I have consequently made it my business to ascertain which cultures make of our value what might be called scholastic doctrines. It is, for example, a striking and perhaps historically relevant fact that in the world of late antiquity, monks would rebuke the powerful with the same abrasiveness as ascetics in the Islamic world.¹⁰ There was, moreover, an old Greek term for such outspokenness (*parrhēsia*).¹¹ But for all that the phenomenon was there, and possessed of a name, it does not seem to have given rise to any body of systematic thought in the Christian literature of the time; whereas some other cultures, as will be seen, have more to offer. Once we have collected some scholastic doctrines from different cultures, we can go on to make comparisons between them.

There are in fact two distinct projects that the existence of similar phenomena outside Islam can validly give rise to. One is genetic: here the question is whether the Islamic conception of 'commanding right and forbidding wrong' has identifiable pre-Islamic origins. The other is purely comparative: here the object is to learn what we can from the study of analogous, perhaps genetically unrelated, phenomena in different settings. In what follows, however, I have not formally separated the two exercises. What begins as a genetic inquiry into the origins of the Islamic value will end up as a comparative attempt to identify and explain what is distinctive about it.

2. THE JĀHILIYYA

There are two separate (though related) questions to be answered regarding the role of pre-Islamic Arabia in the origins of the Islamic conception

¹⁰ P. Brown, *Power and persuasion in late antiquity*, Madison and London 1992, 106, 126, 135, 140. On the other hand, monks were not supposed to rebuke each other (C. White, *Christian friendship in the fourth century*, Cambridge 1992, 168f.).

¹¹ Brown, *Power and persuasion*, index s.v. The term is also well attested in relevant senses as a loan-word in Syriac (R. Payne Smith, *Thesaurus syriacus*, Oxford 1879–1901, 3242).

of forbidding wrong. The first concerns the terminology of the duty. Is the language used to describe it in Islam inherited – in whole or in part – from the Jāhiliyya? Or is it new to Arabic, perhaps derived from some extra-Arabian source? The second question concerns the idea of the duty. Did Jāhilī society give prominence to the notion that it is a man's business to right wrongs and seek to prevent their occurrence? Or was such activity highly valued only when it took place within the limits of specific social relationships that required it?¹²

Let us first examine two traditions relating to Mecca in the late pre-Islamic period, and then consider the evidence of Jāhilī poetry.

The first tradition concerns Ḥakīm ibn Umayya, a member of a Sulamī family well established in Mecca and a confederate (*ḥalīf*) of the Umayyad clan; he later converted to Islam.¹³ It is reported that in pre-Islamic Mecca he exercised the role of restraining and disciplining the hot-blooded young men (*sufahā'*) of Quraysh, with the general consent of the tribe.¹⁴ In this connection he is referred to in some sources as a 'censor' (*muḥtasib*); these sources then go on to describe him as '(commanding right and) forbidding wrong'.¹⁵ Altogether their wording is so similar that their testimony must be treated as reflecting a single source. With regard to their terminology, are these authors then reporting actual Jāhilī usage, or are they merely retrojecting Islamic usage onto a Jāhilī phenomenon which happens to remind them of an Islamic one? Since they do not make any explicit claim to be reporting Jāhilī usage, the safest assumption is that they are retrojecting. With regard to the activity itself, what we have here is – as these authors indicate – a precedent for the official censorship (*ḥisba*), rather than for the duty of the individual believer. The account could further be held

¹² Cf. the remark of an ethnographer of the mountain tribesmen of the Yemen that it would be insulting for a man to presume to right some wrong done to another man's dependants or womenfolk (P. Dresch, *Tribes, government, and history in Yemen*, Oxford 1989, 61).

¹³ One source has it that it was his great-great-grandfather who came to Mecca and became a confederate of 'Abd Manāf himself (Ibn Sa'd, *Ṭabaqāt*, 8:113.4). For Ḥakīm's allegedly early conversion, see M. Lecker, *The Banū Sulaym*, Jerusalem 1989, 138 n. 151, citing Ibn Hishām, *Sira*, 1–2:288.15, and other sources.

¹⁴ See M. J. Kister, 'Some reports concerning Mecca from Jāhiliyya to Islam', *Journal of the Economic and Social History of the Orient*, 15 (1972), 83 (with the two addenda to this page, the first published *ibid.*, 93, and the second with the reprint of the article in M. J. Kister, *Studies in Jāhiliyya and early Islam*, London 1980, item II, 'Additional notes', 1); Chalmers, *El 'señor del zoco*, 350f.; Lecker, *The Banū Sulaym*, 120–2; 'Amad, 'Nuṣūṣ turāthiyya'. The references to primary sources discussed below are taken from these studies.

¹⁵ Ibn al-Kalbī (d. 204/819f.), *Jamharat al-nasab*, ed. N. Ḥasan, Beirut 1986, 407.4; Balādhurī (d. 279/892f.), *Ansāb al-ashrāf*, quoted from manuscript in Lecker, *The Banū Sulaym*, 122 n. 79; Ibn Ḥazm, *Jamhara*, 263.20.

to imply that disciplining wild young men across the board was not a normal activity of individuals, since it required a special arrangement to establish it and make it work;¹⁶ but this implication is weak.

The case is somewhat different with a much more widely known institution of pre-Islamic Mecca, an alliance (known as the *ḥilf al-fuḍūl*) which was created for the purpose of righting wrongs.¹⁷ A typical account of the formation of this alliance (*ḥilf*) is the following.¹⁸ A member of the Yemeni tribe of the Banū Zubayd came to Mecca with commercial goods which he sold to a member of the Qurashī clan of the Banū Sahm. The latter, however, failed to pay for them. The public protest of the wronged merchant (in verse, of course) gave rise to such concern among Quraysh that four clans (other sources commonly list five) gathered and made a pact (*taḥālafū*) in the following terms: 'If anyone is wronged in Mecca, we will all take his part against the wrongdoer until we recover what is due to him from the one who has wronged him, whether he is noble or humble, one of us or not.'¹⁹ As a result the Sahmī wrongdoer was prevailed upon to pay the Zubaydī merchant his due. Thereafter, if anyone wronged anyone else in Mecca, the members of the alliance were there to put matters right.²⁰ Again, we are in the generation before the rise of Islam; the Prophet himself is reported to have been present at the formation of the alliance.²¹ To my knowledge, there are no other reports of such institutions in pre-Islamic Arabia, except that it is said by some that the alliance owed its name (*ḥilf al-fuḍūl*) to a similar alliance among Jurhum,²² the somewhat shadowy possessors of the Meccan sanctuary in an earlier period.

Again, the story tends to suggest – but not very strongly – that righting wrongs in general was not the business of the individual: it required a

¹⁶ Presumably we should understand that Ḥakīm's formal status as an outsider in Mecca was an asset in this context. But then why did his special relationship to the Banū Umayya not disrupt his role?

¹⁷ See *ET*², art. 'Ḥilf al-fuḍūl' (C. Pellat), and P. Crone, *Meccan trade and the rise of Islam*, Princeton 1987, 143f., with references to a wide range of primary sources.

¹⁸ Ibn Ḥabīb, *Munammag*, 45–7.

¹⁹ *Ibid.*, 46.6. The key terms are all forms of the root *ḡ-l-m*. I have not seen the term *munkar* in any account of the alliance other than those mentioned below, note 25.

²⁰ Ibn Ḥabīb goes on to report two such incidents, one involving the goods of a Thumālī (*ibid.*, 47.10), the other the daughter of a Khath'amī merchant (*ibid.*, 48.9).

²¹ *Ibid.*, 46.8. We are told here that this was five years before he began to receive revelation, which would take us to the first decade of the seventh century AD. Another version would place the event a decade earlier (Abū 'l-Faraj, *Aghānī*, 17:289.16, stating that the Prophet was aged twenty-five at the time).

²² See, for example, *ibid.*, 288.14, 292.10, 293.3, 300.8. The point is that the Jurhumīs involved were all called Faḍl, or variants of the same root. This is one of a number of rival explanations of the puzzling term *fuḍūl*.

formal agreement to establish a group pledged to do this in a single locality.²³ This leaves us with the question of terminology. Ibn Abī 'l-Ḥadīd (d. 656/1258) remarks of forbidding wrong (*al-nahy 'an al-munkar*) that it was known to the pre-Islamic Arabs, and he establishes his point by adducing our alliance.²⁴ He does not here actually attribute such terminology to the pre-Islamic Arabs. However, a report transmitted by Zubayr ibn Bakkār (d. 256/870) does just this: it explicitly includes 'commanding right and forbidding wrong' in the terms of the agreement.²⁵ This is a clear-cut ascription of the phrase to the Jāhiliyya.²⁶ But the report is an isolated one among our many accounts of the agreement,²⁷ and this suggests that we would be right to regard it as anachronistic. Our sources, after all, are happy to impute statements about forbidding wrong to the Byzantines.²⁸

The other source that calls for attention is poetry.²⁹ There are, of course, considerable problems regarding the authenticity of poetry ascribed to the

²³ Presumably the fact that a number of clans had come together to establish the arrangement was vital to its effective functioning. The omission of other clans might have been expected to be problematic in cases (such as that of the Sahnī) where the wrongdoer belonged to a clan outside the alliance, but we do not hear of this.

²⁴ Ibn Abī 'l-Ḥadīd, *Sharḥ*, 19:305.13. Earlier in the work he gives accounts of the *ḥilf al-fuḍūl* quoted from Jāhiz (d. 255/868f.) (*ibid.*, 15:203–6) and Zubayr ibn Bakkār (d. 256/870) (*ibid.*, 224–8).

²⁵ Abū 'l-Faraj, *Aghānī*, 17:291.4 (for the ascription to Zubayr ibn Bakkār, see *ibid.*, 287.2); Ibn Abī 'l-Ḥadīd, *Sharḥ*, 15:226.6. In Ibn Abī 'l-Ḥadīd's version, Zubayr ibn Bakkār gives an *isnād* going back to the Medinese Muḥammad ibn Ibrāhīm ibn al-Ḥārith al-Taymī (d. 120/737f.); in that of the *Aghānī*, the same *isnād* appears but is combined with others into a composite *isnād*. The two versions have peculiarities in common over and above the reference to *al-amr bi'l-ma'rūf*, suggesting that they are indeed a single account.

²⁶ Likewise in a report which he transmits to the effect that the original Jurhumī participants had agreed that they would put right any wrong in the valley of Mecca, the word used is *ghayyarūhu* (Abū 'l-Faraj, *Aghānī*, 17:288.14; the authorities for this report are vaguely referred to as 'others').

²⁷ See, for example, Ibn Hishām, *Sīra*, 1–2:133.8; Muṣ'ab al-Zubayrī, *Nasab Quraysh*, 291.11; Ibn Ḥabīb, *Munammaq*, 46.6, 219.6, 341.1; Jāhiz (d. 255/868f.), *Faḍl Ḥāshim 'alā 'Abd Shams*, in Ḥ. al-Sandūbī (ed.), *Rasā'il al-Jāhiz*, Cairo 1933, 71.23; Balādhurī, *Ansāb*, ed. Maḥmūdī, 12.15, 15.4; Abū 'l-Faraj, *Aghānī*, 17:299.14. Abū 'l-Faraj also gives several versions from Zubayr ibn Bakkār by *isnāds* other than that referred to above (note 25); none of these makes reference to *al-amr bi'l-ma'rūf* (*ibid.*, 288.8, 289.18, 290.9, 292.6, 292.13, 294.1).

²⁸ A Byzantine elder, explaining to the emperor Heraclius (r. AD 610–41) why the Muslims were winning, describes them as, among other things, commanding right and forbidding wrong (Dīnawarī, *Mujālasa*, 193.14, whence Ibn Kathīr, *Bidāya*, 7:15.22); likewise a Christian Arab spy speaks in the same way about the Muslims to a Byzantine general (Azdī (fl. c. 190/805), *Futūḥ al-Shām*, ed. W. N. Lees, Calcutta 1853–4, 189.6; I owe this reference to Larry Conrad). On the other hand van Ess, who cites the story of the formation of the *ḥilf al-fuḍūl* in the version of the *Aghānī*, treats the wording as authentic (*Theologie*, 2:387).

²⁹ My data derive almost entirely from the Concordance of Pre-Islamic and Umayyad Poetry of the Hebrew University of Jerusalem. They are unlikely to be complete, but they are certainly representative. I am much indebted to Albert Arazi for making this material available, to Nurit Tsafir for copying the relevant cards for me, and to Andras Hamori for help with some of the texts.

pre-Islamic and early Islamic periods; but as will be seen, these problems are not of overriding significance in the present context. My main findings are as follows.

First, the words I have translated ‘right’ (*ma‘rūf*, with its synonym *‘urf*) and ‘wrong’ (*munkar*, with its synonym *nukr*) are widely attested in pre-Islamic poetry.³⁰ What is more, they are not infrequently used as antithetical terms. In their etymological senses of ‘known’ and ‘unknown’, they are already paired in a much-repeated hemistich of Muraqqish al-Akbar, who is perhaps our oldest Arab poet: speaking of dusty deserts, he tells of crossing the unknown wilderness to reach the known (*qaṭa‘tu ilā ma‘rūfihā munkarātihā*).³¹ In more evaluative senses, we find the words similarly paired by the Jāhilī poets Zuhayr ibn Abī Sulmā,³² ‘Urwa ibn al-Ward,³³ Ḥātim al-Ṭā‘ī,³⁴ and Nābigha

³⁰ For some examples, see the following notes.

³¹ Mufaḍḍal al-Ḍabbī (d. 168/784f.), *Ikhtiyārāt* (= *Mufaḍḍaliyyāt*), ed. C. J. Lyall, Oxford and London 1918–24, 1:465 no. 47, line 7 (with translation, *ibid.*, 2:172). For Muraqqish al-Akbar, see Sezgin, *Geschichte*, 2:153f. The same hemistich is found in verses of the following: the Jāhilī Bishr ibn Abī Khāzim (*Diwān*, ed. ‘I. Ḥasan, Damascus 1960, 114 no. 24, line 4; for this poet, see Sezgin, *Geschichte*, 2:211f.); the *mukhaḍḍam* Shammākh ibn Dirār (*Diwān*, ed. Š. al-Hādī, Cairo 1968, 84 no. 2, line 31; for this poet, see Sezgin, *Geschichte*, 2:239f.); the *mukhaḍḍam* Ḍabī’ ibn al-Ḥārith (Aṣma‘ī (d. c. 216/831), *Aṣma‘iyyāt*, ed. W. Ahlwardt, Berlin 1902, 56 no. 57, line 15; for this poet, see Sezgin, *Geschichte*, 2:205f.); the late first/seventh-century Ṭirimmāh (F. Krenkow (ed.), *The poems of Ṭufail ibn ‘Auf al-Ghanawī and at-Ṭirimmāh ibn Ḥakīm at-Ṭā‘ī*, London 1927, 76 no. 1, line 40; for this poet, see Sezgin, *Geschichte*, 2:351f.); and his contemporary Farazdaq (*Diwān*, apud I. al-Hāwī, *Sharḥ Diwān al-Farazdaq*, Beirut 1983, 1:210 no. 100, line 3; Ibn Qutayba (d. 276/889), *al-Shi‘r wa’l-shu‘arā’*, ed. M. J. de Goeje, Leiden 1904, 334.2; Marzubānī (d. 384/994), *Muwashshah*, ed. ‘A. M. al-Bajāwī, Cairo 1965, 273.14; for this poet, see Sezgin, *Geschichte*, 2:359–63). Compare also the verse of the Jāhilī ‘Urwa ibn al-Ward (for whom see Sezgin, *Geschichte*, 2:141f.) in which he describes an owl (*hāma*) as complaining to whomever she sees, whether known or unknown to her (*tashtakī/ilā kullī ma‘rūfin ra‘at-hu wa-munkarī*, ‘Urwa ibn al-Ward, *Diwān*, ed. ‘A. al-Mulūhī, n.p. 1966, 67.1; see also Aṣma‘ī, *Aṣma‘iyyāt*, 29 no. 31, line 4).

³² He has a line speaking of a desert land in which his generosity is not held in low esteem (*ma‘rūfī bihā ghayru munkarī*) (W. Ahlwardt (ed.), *The Divans of the six ancient Arabic poets*, London 1870, English section, 114 no. 30). The same line is quoted (with a variant) by Ibn Hishām, who ascribes it to a certain ‘Ubayd ibn Wahb al-‘Absī (*Sira*, 1–2:305.15). For Zuhayr, see Sezgin, *Geschichte*, 2:118–20.

³³ Here we find the hemistich *wa-abdhu ma‘rūfī lahū dūna munkarī* (‘Am I to show him my kindness rather than my unkindness?’), Abū Tammām (d. 231/846), *Ḥamāsa*, apud Abū ‘I-‘Alā’ al-Ma‘arrī (d. 449/1057) (attrib.), *Sharḥ Diwān Ḥamāsāt Abī Tammām*, ed. Ḥ. M. Naqsha, Beirut 1991, 1047 no. 681, line 2). The same hemistich appears in a poem of the Jāhilī poet Ḥātim al-Ṭā‘ī (*Diwān*, 300 no. 113, line 2; for this poet, see Sezgin, *Geschichte*, 2:208f.); it is also found in one of the late first/seventh-century poet ‘Ujayr al-Salūlī (Abū ‘I-Faraj, *Aghānī*, 13:66.15; for this poet, see Sezgin, *Geschichte*, 2:334f.).

³⁴ In one hemistich the poet, who claims to have turned a new leaf, says that he is no longer one who responds rudely to someone who behaves pleasantly to him (*wa-lā qā’ilin yawman li-dhī ‘l-‘urfi munkarī*, Ḥātim al-Ṭā‘ī, *Diwān*, 267 no. 68, line 11). Two lines earlier in the same poem we have the hemistich *idhā qultu ma‘rūfan lahū qāla munkarā* (‘When I speak nicely to him, he responds rudely’, *ibid.*, line 9, in the text of Zubayr ibn Bakkar, *Akbbār*, 419.2). See also the preceding note.

al-Dhubyānī.³⁵ We even find precedent for one of our Islamic phrases for taking action against a wrong (*ankara 'l-munkar*).³⁶ This latter might be dismissed as retrojection, since it is not widely attested. But it would require a categorical rejection of the corpus of pre-Islamic poetry to dispose of the attestations of 'right' and 'wrong', and a high degree of scepticism to disallow the evidence for their pairing.

Second, the locutions 'commanding right' and 'forbidding wrong' are unknown to pre-Islamic poetry. They only begin to appear – and then sporadically – in poetry of the early Islamic period.³⁷ The most that can be said is that one of these early Islamic attestations purports to be describing a scene set in the pre-Islamic period.³⁸ In other words, it would require a high degree of credulity to find in poetry evidence that these phrases were used before Islam.

The situation is thus fairly clear-cut. Pre-Islamic Arabia knew well the terms 'right' and 'wrong', and seems to have paired them. But if we can judge from its poetry, it did not possess the notions of 'commanding' or 'forbidding' them. Nor, to my knowledge, is there evidence in poetry of

³⁵ Here we have the hemistich *fa-lā 'l-nukru ma'rūfun wa-lā 'l-'urfu dā'i'u* ('Neither is evil good, nor does a good deed perish', Nābigha al-Dhubyānī, *Diwān*, ed. S. Fayṣal, Beirut 1968, 53 no. 3, line 35; also Khalīl ibn Aḥmad (d. 170/786f.), *Kitāb al-'ayn*, ed. M. al-Makhzūmī and I. al-Sāmarrā'ī, Qumm 1405–10, 2:121.7). For this poet, see Sezgin, *Geschichte*, 2:110–13. The context of the hemistich is strongly religious, which renders its Jāhili character somewhat suspect; compare the antithesis of *munkara* and *ma'rūfa* in an equally religious context in a hemistich from a suspect poem of Umayya ibn Abī 'l-Ṣalt, who lived into Islamic times (*Diwān*, ed. 'A. al-Saṭṭī, Damascus 1974, 354 no. 10, line 2; for this poet, see Sezgin, *Geschichte*, 2:298–300).

³⁶ The Jāhili Qays ibn Zuhayr al-'Absī (for whom see Sezgin, *Geschichte*, 2:216) has the line: *ulāqī min rijālin munkarātin/fa-unkiruhā wa-mā ana bi'l-ghashūmī* (apud Bevan, *Naḳā'id*, 97.6; also Mufaddal ibn Salāma (fl. later third/ninth century), *Fākhbir*, ed. 'A. al-Taḥāwī, Cairo 1960, 228.1, with *ḡalūm* for *ghashūm*). Cf. also the phrase *yunkirūna 'l-munkarā* in a poem of the Jāhili Abū Jundab al-Hudhalī (Sukkarī (d. 275/888f.), *Sharḥ Ash'ār al-Hudhalīyyīn*, ed. 'A. A. Farrāj, Cairo 1965, 361 no. 9, in an isolated couplet; for this poet see Sezgin, *Geschichte*, 2:258).

³⁷ I have the following four attestations. (1) We find *amarta bi-ma'rūfin* in a poem of Ḥassān ibn Thābit (d. c. 54/674) (*Diwān*, ed. W. N. 'Arafat, London 1971, 1:235 no. 111, line 3); for the context, see the following note. (2) A poem of 'Amr ibn Ma'dī Karib has *amar-tuka bi... 'l-ma'rūfi* (Ibn Hishām, *Sīra*, 3–4:583.22 (but contrast *ibid.*, 584.13); Ṭabarī, *Ta'rīkh*, series I, 1733.2, likewise from Ibn Ishāq (d. 150/767f.)). 'Amr had just returned from a visit to the Prophet during which he had converted to Islam, and was addressing a tribal chief who had ignored his advice to do likewise. (3) The phrase *alladhī ya'muru bi'l-'urfī* (cf. Q7:199) appears in a poem of Muḥammad ibn Iyās ibn al-Bukayr (Ibn Ḥabīb, *Munammaḡ*, 384.8). The context is the fatal wounding of Zayd ibn 'Umar ibn al-Khaṭṭāb in an attempt to break up a fight, apparently during the reign of Mu'āwiya (r. 41–60/661–80). (4) The words *nāhina... 'ani 'l-nukrī* occur in a poem mourning the Ibādī rebels who perished in 130/747f. (see above, ch. 15, note 18).

³⁸ The context in attestation (1) in the preceding note is the death of Mālik ibn al-Najjār, who is being addressed by his sons. Mālik was an ancestor of Ḥassān, and lived eight generations before him (Ibn Ḥazm, *Jamhara*, 347.8).

such a value expressed in other terms. Protecting those who have been wronged is a familiar theme in pre-Islamic Arabia; but it is a protection extended to those who seek it, not to the wronged as such.³⁹

From what has been said in this section, we can conclude that the Koran owes the terms 'right' and 'wrong' (*ma'rūf* and *munkar*) to pre-Islamic Arabia.⁴⁰ But what of 'commanding' and 'forbidding' them? We have no serious precedent for such a usage from within Arabia; nor, to my knowledge, do we have any from outside it that is likely to be historically relevant.⁴¹ It is accordingly an obvious hypothesis, though not one we can hope to prove, that the usage which provides the Islamic duty with its name was a Koranic innovation. As far as terminology is concerned, there is little more to be said.

The religious recognition of the duty is another matter. As we have seen earlier in this book, it is by no means clear that the Koranic verses that speak of 'commanding right and forbidding wrong' are in fact talking about the duty we know from later Islamic thought, and this opacity is strongly reflected in early exegesis.⁴² At the same time, an early usage which clearly does refer to our duty speaks not of 'forbidding' wrong but rather of 'righting' it.⁴³ We therefore have some reason to put the Koranic terminology to one side and to look elsewhere for the antecedents of the conception itself.

3. MONOTHEIST PARALLELS

Goldziher, in an extended discussion of the duty,⁴⁴ adduced two parallels from outside Islam. One was the institution of the censorship in Confucian China;⁴⁵ to this he might have added the more familiar censorship of Republican Rome.⁴⁶ Both were institutions maintained by the state, and as

³⁹ Describing pre-Islamic Beduin society, Jacob remarks that when a man who has been wronged can get no help from his own tribe, he often turns to a more powerful tribe or prince; the latter is likely to see it as a point of honour to stand up for the weak, particularly when he can expect his deed to receive poetic recognition (G. Jacob, *Altarabisches Beduinenleben*, Berlin 1897, 217–18). Cf. also B. Farès, *L'honneur chez les Arabes avant l'Islam*, Paris 1932, 88–91, 151–3.

⁴⁰ As suggested in R. Levy, *The social structure of Islam*, Cambridge 1957, 194.

⁴¹ Cf. above, 561f. ⁴² See above, ch. 2, section 1 and 22f.

⁴³ See above, ch. 3, 34f. ⁴⁴ Goldziher, *Livre*, 85–102.

⁴⁵ *Ibid.*, 87. On this institution see C. O. Hucker, *The censorial system of Ming China*, Stanford 1966, esp. ch. 1 (drawn to my attention by Andy Plaks). Goldziher's parallel is not a good one: the traditional Chinese censorship was an official institution concerned with the monitoring of the state apparatus, not of society at large (see, for example, *ibid.*, 147); that its tone was moralistic and its operations involved frequent remonstrations is beside the point.

⁴⁶ For a brief account of the Roman censorship and its *regimen morum*, see H. F. Jolowicz and B. Nicholas, *Historical introduction to the study of Roman law*, Cambridge 1972, 51–4.

such might bear comparison with the Islamic censorship (*ḥisba*) – itself a special case of forbidding wrong. But they are quite unlike the general Islamic conception of an executive power of individual believers existing outside any institutional framework. The other parallel adduced by Goldziher is from Rabbinic Judaism,⁴⁷ and this is considerably more to the point.⁴⁸

In the first place, a comparable duty is already prescribed in scripture: ‘you shall reprove your neighbour (*hokbeaḥ tokhiaḥ et-‘amitekha*), or you will incur guilt yourself’ (Lev. 19:17). This is adduced by the rabbis, appropriately enough, to show that if a man sees something unseemly in his neighbour, it is his duty to rebuke him.⁴⁹ (Here and below, all Jewish sources adduced are pre-Islamic, unless otherwise indicated.) He also has the duty of repeating his rebuke if the offender does not take the point (*lo qibbel*).⁵⁰ How much come-back does he have to put up with in the performance of the duty? Here there is disagreement: till he is beaten? till he is cursed? till the offender becomes angry?⁵¹ There is also dispute as to where one’s duty lies if one’s initiative will be of no avail. One rabbi declined to rebuke the members of the household of the exilarch on the grounds that they would not accept (*qabbel*) it from him; another held that he should rebuke them notwithstanding.⁵² There should be no respect of persons: a disciple has the duty of rebuking a teacher.⁵³ Failure to perform

⁴⁷ Goldziher, *Livre*, 86 n. 1, quoting (or rather misquoting) Babylonian Talmud, Vilnius 1880–6, *Shabbat*, f. 54b.51, and noting in passing a certain ‘parenté’. (I cite the Babylonian Talmud by the standard foliation, which appears also in the Soncino translation, ed. I. Epstein, London 1935–52.) Goldziher’s rabbinic parallel has not received much attention from subsequent scholarship, but it has been noted by van Ess (*Theologie*, 2:387 n. 6), and independently rediscovered by H. Lazarus-Yafeh (*Intertwined worlds: medieval Islam and Bible criticism*, Princeton 1992, 145 and n. 9).

⁴⁸ For helpful surveys of the Jewish material, see *Encyclopaedia Judaica*, Jerusalem 1971–2, 13:1605f., art. ‘Rebuke and reproof’; *Encyclopedia Talmudica*, Jerusalem 1969–, 2:616–18, art. ‘Afroshe me-issura’; E. E. Urbach, *The Sages: their concepts and beliefs*, Cambridge, Mass. and London 1975, 563f. I am indebted to Mark Cohen and Menachem Lorberbaum for assistance with several of the references to primary sources in what follows.

⁴⁹ Babylonian Talmud, ‘*Arakhin*, f. 16b.14. In another passage the duty is elicited from 1 Sam. 1:14, where Eli tells the apparently inebriated Hannah to put away her liquor (*ibid.*, *Berakhot*, f. 31a.61).

⁵⁰ *Ibid.*, ‘*Arakhin*, f. 16b.16. Another passage states that one must repeat the rebuke even after four or five attempts (*Sifra*, Jerusalem 5743, second part, 4:8, f. 39a.10 = trans. J. Neusner, *Sifra: an analytical translation*, Atlanta 1988, 3:109 (to Lev. 19:17)); yet another that one should repeat the rebuke as much as a hundred times (Babylonian Talmud, *Baba Meṣi’a*, f. 31a.43). ⁵¹ *Ibid.*, ‘*Arakhin*, f. 16b.31.

⁵² *Ibid.*, *Shabbat*, f. 55a.11. The scriptural advice not to rebuke (*al-tokhaḥ*) a scoffer (Prov. 9:8) is quoted in support of the view that one should speak out only when one will be heard (*ibid.*, *Yebamot*, f. 65b.18). ⁵³ *Ibid.*, *Baba Meṣi’a*, f. 31a.44.

the duty can lead to collective divine punishment: Jerusalem was destroyed because 'they did not rebuke one another'.⁵⁴ On the other hand, there is a preference for private rebuke: Jeroboam merited the kingship because he reproved Solomon, but was punished for reproving him in public (*ba-rabbim*).⁵⁵ Reproving people is not a way of making friends: if a young scholar is popular with his fellow-townsmen, it is because he does not rebuke them in religious matters.⁵⁶ As might be expected, the duty does not flourish in the present: no one in this generation is able to reprove, or able to accept (*le-qabbal*) reproof, or even knows how to reprove.⁵⁷

In the second place, there is a duty (perhaps to be equated with the preceding) to protest (*le-mahot*) at the misdeeds of others. This duty is aired in connection with the celebrated scandal of Rabbi Eli'azar ben 'Azariah's cow. This cow would go out on the Sabbath with a strap between its horns, a practice on which the sages looked askance,⁵⁸ though Rabbi Eli'azar himself deemed it permissible.⁵⁹ So far, these commotions hardly concern us. In the Babylonian Talmud, however, a discussion takes place which puts a quite different complexion on the matter. Here it is suggested that the cow was not in fact Rabbi Eli'azar's at all, but rather the property of a female neighbour; it was accounted his because he failed to protest about it (*lo miḥab bah*).⁶⁰ The ensuing Talmudic discussion endorses the principle here suggested: that failure to protest when one is in a position to do so saddles one with responsibility for what one has failed to prevent.⁶¹ In this way one can acquire an unwelcome responsibility for the sins of one's household, of one's fellow-townsmen, even of the world at large.⁶² Elders are liable to divine punishment for failing to protest against the misdeeds of princes.⁶³ But what if

⁵⁴ *Ibid.*, *Shabbat*, f. 119b.42.

⁵⁵ *Ibid.*, *Sanhedrin*, f. 101b.43 (citing 1 Kings 11:27). Cf. the comment of Rashi (d. AD 1105) to Lev. 19:17 (*Perushe Rashi 'al ha-Torah*, ed. H. D. Chavel, Jerusalem 1982, 373.21; I owe this reference to Simon Cook).

⁵⁶ Babylonian Talmud, *Ketubbot*, 105b.19.

⁵⁷ *Sifra*, second part, 4:9, f. 39a.11 (to Lev. 19:17), and cf. Babylonian Talmud, '*Arakhin*', f. 16b.17.

⁵⁸ Mishnah, *Shabbat*, 5:4 = H. Danby (trans.), *The Mishnah*, Oxford 1933, 104. (I cite the Mishnah by the standard division of the text.)

⁵⁹ Mishnah, *Beṣah*, 2:8 (trans. Danby, 184); *ibid.*, '*Eduyot*', 3:12 (trans. Danby, 428).

⁶⁰ Babylonian Talmud, *Shabbat*, f. 54b.49.

⁶¹ This principle is stated explicitly in the Palestinian Talmud: whoever is able to protest (*le-mahot*) and does not do so is himself guilty of the offence (Palestinian Talmud, *Shabbat*, 5:4 (Venice c. 1522, f. 7c.28 = trans. J. Neusner *et al.*, *The Talmud of the Land of Israel*, Chicago and London 1982–, 11:183); *ibid.*, *Ketubbot*, 13:1 (f. 35c.51 = trans. Neusner, 22:358f.); the first passage makes reference to the Babylonian discussion of the female neighbour and the cow). ⁶² Babylonian Talmud, *Shabbat*, f. 54b.51.

⁶³ *Ibid.*, f. 55a.1, offered in explanation of Isa. 3:14.

protest would achieve nothing?⁶⁴ The issue is raised in a discussion between God and Justice regarding certain righteous men among the sinners of Jerusalem. Justice alleges against them that 'it was in their power to protest, but they did not do so'; God's retort is that it was already known that, had they protested, the sinners would not have accepted it from them.⁶⁵

Finally, there is a duty to restrain others from forbidden actions (*le-afroshe me-issura*).⁶⁶ It is clear from the Talmudic passages in question that we have to do with a definite principle of law; it has a set phrasing, and in two instances is held to override other legal principles. Its performance, it emerges, may be by word (telling someone what to do, or shouting at them to restrain them from a violation), or by deed (stalking an unmarried couple with the intention of restraining them from performing a forbidden act). There is no reference to violence.

Here, then, we have the beginnings of a scholastic elaboration of a religious duty or duties similar in character to forbidding wrong, though relatively far less salient. So far as I know, there is nothing comparable in Syriac Christianity before Islamic times. A Jewish background to the Islamic duty is thus quite plausible. It is not, of course, proved by the general similarity, and I doubt if the case could be clinched. But this Jewish precedent would provide a starting-point for the development of the Muslim duty which is closer to the classical Islamic conception than are the vague Koranic verses that give the duty its name.⁶⁷

It may be added in passing that the terminology of the Muslim duty was readily adopted by Jews writing in Arabic in Islamic times.⁶⁸ At the same

⁶⁴ It is here that we find the discussion already cited on rebuking members of the exilarch's household (see above, note 52). This strongly suggests that the duties of 'rebuking' (*le-hokbiah*) and 'protesting' (*le-mahot*) are, as might be expected, one and the same. They are clearly taken to be so by Maimonides (d. AD 1204) in his discussion of the commandment to rebuke, see his *Mishneh Torah*, De'ot, 6:7 (Jerusalem and Tel Aviv 1965–7, 1:58b.26, 58b.32; for a translation of the chapter, see Maimonides, *The book of knowledge*, trans. H. M. Russell and J. Weinberg, Edinburgh 1981, 44–7).

⁶⁵ Babylonian Talmud, *Shabbat*, f. 55a.23. Compare the principle stated in the Palestinian Talmud: when one is not in a position to protest (*le-mahot*) (effectively), one should not do so (*Sotah*, 8:2 (f. 22b.41 = trans. Neusner, 27:201f.)).

⁶⁶ Babylonian Talmud, *Shabbat*, f. 40b.36; *ibid.*, 'Erubin, f. 63a.27; *ibid.*, *Sukkah*, f. 52a.53. Though the pre-Islamic material does not explicitly say so, one assumes that those to be restrained are other Jews.

⁶⁷ For Muslim awareness of the Jewish precedent, cf. above, ch. 4, 47.

⁶⁸ Sa'adya (d. AD 942) speaks of *al-amr bi'l-ma'ruf* in his work *al-Amānāt wa'l-i'tiqādāt* (ed. S. Landauer, Leiden 1880, 256.17, noted by Goldziher in his review in *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 35 (1881), 775 (drawn to my attention by Frank Stewart). The fourth/tenth-century Qaraite Qirqisānī adopts the terms *munkar* and *ghayyara*: *man ra'ā munkaran wa-kāna qādiran 'alā inkāribi* (Qirqisānī, *al-Anwār wa'l-marāqib*, ed. L. Nemoy, New York 1939–43, 416.9, and cf. 416.16); *idbā hum lam yunkirū wa-yughayyirū* (*ibid.*, 416.20). One fifth/eleventh-century Rabbanite document lists (*al-amr bi'l-ma'ruf*) *wa'l-nahy 'an al-munkar* among the prerogatives of the head of

time, some themes found on the Muslim side now make their first appearance in Jewish discussions of the duty of rebuke.⁶⁹ Christians seem to have been less receptive;⁷⁰ but we possess a Syriac account of forbidding wrong by Barhebraeus (d. AD 1286), derived as might be expected from that of Ghazzālī (d. 505/1111).⁷¹

While a Jewish point of departure for the scholastic elaboration of the duty in Islam is by no means implausible, there is a comparative observation which significantly weakens the case. Judaism and Islam are not the only cultures in which a duty of this kind receives formal scholastic development. Such a duty was also well known to the Latin West, where it was termed ‘fraternal correction’ (*correctio fraterna*). Rebuking others for their sins was, of course, a Christian habit of hoary antiquity and firm scriptural foundations.⁷²

the yeshiva (*ra’s al-mathiba*) (in Jerusalem) (see S. D. Goitein, ‘Arabic documents on the Palestinian Gaonate’ (in Hebrew), *Eretz-Israel*, 10 (1971), 103 line 7, and see *ibid.*, 105, for Goitein’s comments on the phrase, and *ibid.*, 100, for his dating of the document to the late 420s/1030s; I owe this reference to Gideon Libson). In another Rabbanite document from the same period, ten elders are to assist the head of the community in Old Cairo in, among other things, *al-amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar* (see S. D. Goitein, ‘The local Jewish community in the light of the Cairo Geniza records’, *The Journal of Jewish Studies*, 12 (1961), 156 line 9, and see *ibid.*, 144). As noted by Lazarus-Yafeh (*Intertwined worlds*, 145), Ibn Paquda (*fl.* later fifth/eleventh century) uses the phrase in several passages of a pietistic work (*al-Hidāya ilā farā’id al-qulūb*, ed. A. S. Yahuda, Leiden 1912, 172.15, 196.11, 211.5, 248.20, 272.8, 330.18); in the latter two of these passages he makes mention of the three modes, and in the last (as noted by the editor in his introduction, 82 n. 2) he equates the duty with that of Lev. 19:17. Judah ha-Levi (d. AD 1141) uses the term of the philosophers in his *Khazari* (*Kitāb al-radd wa’l-dalīl*, ed. D. H. Baneth, Jerusalem 1977, 170.11), as noted by Goldziher in his review of the first edition of the text (*Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 41 (1887), 692, drawn to my attention by Frank Stewart).

⁶⁹ In addition to the adoption of the three modes by Ibn Paquda (see the preceding note), there are two examples to be found in the chapter on the duty in the *Mishneh Torah* of Maimonides. First, he states that a man living among evildoers should emigrate (De’ot, 6:1 (1:58a.8)). Second, he stresses the importance of performing the duty gently (*ibid.*, 6:7 (1:58b.28)) and without initial harshness (*ibid.*, 6:8 (1:59a.3)). It is a pity that we have no account of the duty in the extant parts of the *Kifāyat al-‘ābidīn* of his son Abraham Maimonides (d. AD 1237) (for this work, see S. D. Goitein, *A Mediterranean society*, Berkeley and Los Angeles 1967–93, 5:475–81).

⁷⁰ The closest parallel I have seen to the Muslim terminology in Christian Arabic is in a work of Theodore Abū Qurra (*fl.* later second/eighth century) in which he quotes Muslims describing the mission of the Prophet: *wa-ya’muruka bi’l-halāl wa-‘amal al-khayr wa-yanhāka ‘an al-harām wa-‘amal al-sū’* (*Mimar fī wujūd al-khālīq wa’l-dīn al-qawīm*, ed. L. Cheikh, *al-Mashriq*, 15 (1912), 770.14, drawn to my attention by Robert Hoyland; this is presumably the passage to which van Ess refers, *Theologie*, 2:387).

⁷¹ See below, appendix 2.

⁷² See, for example, Lev. 19:17 and Matt. 18:15–17. The wording of Matt. 18:15 (*si autem peccaverit in te frater tuus, vade, et corripe eum inter te et ipsum solum*) can provide justification for the term *correctio fraterna*, ‘fraternal rebuke’. For a study of the New Testament conception and its background, see A. Schenk-Ziegler, *Correctio fraterna im Neuen Testament: Die ‘brüderliche Zurechtweisung’ in biblischen, frühjüdischen und hellenistischen Schriften*, Würzburg 1997 (drawn to my attention by Sebastian Brock). The author, a Catholic, is interested in reviving the practice.

But to my knowledge, it was not the object of systematic doctrinal exposition until the thirteenth century AD. The tradition then established has remained a part, though not perhaps a very prominent one, of Catholic Christianity ever since.⁷³ The classic account is that of Thomas Aquinas (d. AD 1274),⁷⁴ and it will give us most of what we need.

Much of the detailed argumentation of Aquinas's account is naturally peculiar to the Christian tradition, and more particularly to its Latin form. Yet no reader who is familiar with the Islamic doctrine of forbidding wrong could fail to be struck by the broad similarities. Fraternal correction is a duty (*in praecepto*),⁷⁵ but not an absolute one: it is not to be carried out without regard for place and time,⁷⁶ and we are not to set ourselves up as investigators of the lives of others (*exploratores vitae aliorum*).⁷⁷ Correcting a sinner for his own sake by simple admonition (*admonitio*) is the business of everyone⁷⁸ who possesses charity, whether he be an inferior or a superior (*sive sit subditus sive praelatus*) – though the duty presses more heavily on superiors.⁷⁹ An inferior may thus correct a superior, provided this is done in private and in a gentle and respectful manner, without impudence and harshness (*non cum protervia et durtitia*,

⁷³ For surveys, see the article 'Correction fraternelle' in the *Dictionnaire de théologie catholique*, Paris 1903–50 (G. Blanc), and J. A. Costello, *Moral obligation of fraternal correction*, Washington D.C. 1949. Both are written from within the tradition; Costello includes guidance on the proper response to some of the evils afflicting Catholic life in modern times (*ibid.*, 105–12). In general, the Catholic literature I have consulted on the duty lacks the wealth of anecdote and consideration of particular cases that we find on the Muslim side. To my surprise, I was unable to locate any systematic discussions in Protestant literature.

⁷⁴ Thomas Aquinas (d. AD 1274), *Summa theologiae*, 2a2ae. 33, 1–8. In what follows I cite the Blackfriars edition, with facing English translation (London and New York 1964–76, 34:274–305). Another account by Aquinas, this one using the term *correptio fraterna* (cf. above, note 72), is found in his *In quattuor libros Sententiarum*, IV, 19, 2, in his *Opera omnia*, ed. R. Busa, Stuttgart 1980, 1:549c–552c; I cite this only for some points not found in the *Summa theologiae*.⁷⁵ Aquinas, *Summa*, 34:278f. (art. 2).

⁷⁶ *Ibid.*, 280f. (art. 2).⁷⁷ *Ibid.*, 282f. (art. 2).

⁷⁸ On this point Aquinas quotes a passage from Gratian (writing c. AD 1140) to the effect that the rebuking (*redargutio*) of sinners is a duty not just of priests, but also of all the rest of the faithful (*reliqui fideles omnes*) (*ibid.*, 284 (art. 3), citing Gratian, *Decretum*, second part, XXIV, 3, 14 = Rome 1584, 1334). This citation is exceptional: fraternal correction is not a topic that is developed in canon law (cf. *Dictionnaire de droit canonique*, Paris 1935–65, art. 'Correptio' (H. Durand), 690).

⁷⁹ Aquinas, *Summa*, 34:284f. (art. 3). A *praelatus* is someone exercising public authority (see Aquinas, *In quattuor libros Sententiarum*, 550a ra6, and 551a co). In his handling of the relationship between fraternal correction and formally constituted authority, Aquinas is addressing an issue that was controversial in Latin Christendom both before and after his time. For a richly documented discussion, see P. Buc, *L'ambiguïté du Livre: prince, pouvoir, et peuple dans les commentaires de la Bible au Moyen Âge*, Paris 1994, 352–6, 380–92, 394–8. Buc contrasts an egalitarian tendency with a hierarchic tendency (*ibid.*, 399); it is clear from his study that the hierarchic tendency was far more salient in Latin Christianity than its equivalent was in Islam (cf. above, ch. 17, notes 29f., 41, 158). Buc's study was drawn to my attention by Patricia Crone.

sed cum mansuetudine et reverentia),⁸⁰ however, if there is imminent danger to the faith, it must be done in public⁸¹ (but not, it seems, harshly). Does a sinner have a duty to correct a wrongdoer?⁸² He at least commits no sin if he reproves him with humility.⁸³ Do we have a duty to refrain from correction if we fear that it will merely make the sinner worse? In such a case, where it is judged probable (*probabiliter aestimatur*) that the offender will not accept the reproof (*admonitionem non recipiat*), fraternal correction is not to be attempted.⁸⁴ Does the duty require us to admonish the wrongdoer in secret before going on to public denunciation?⁸⁵ The answer, in general, is that it does.⁸⁶ What is more, we should continue to admonish him in private as long as there is hope that this will work (*quandiu spes probabiliter habetur de correctione*). But when we judge that private admonition is unlikely to succeed, we escalate (*procedendum est ulterius*).⁸⁷

In later Catholic doctrine further resemblances appear. The duty is held to be established by both reason (*jure . . . naturali*) and revelation (*jure . . . divino positivo*),⁸⁸ a point Aquinas had not addressed. (This, of course, aligns Catholicism with an opinion held only by a minority of Muslim scholars.) The question whether it is obligatory to perform fraternal correction in the case of a venial sin is discussed.⁸⁹ Aquinas's treatment of the conditions of obligation is by Islamic standards unsystematic;⁹⁰ this is made good with the appearance of a schema of five conditions.⁹¹

⁸⁰ Aquinas, *Summa*, 34:286f. (art. 4). ⁸¹ *Ibid.*, 288f. (art. 4).

⁸² *Ibid.*, 288f. (art. 5).

⁸³ *Ibid.*, 290f. (art. 5). At one point the familiar argument is adduced that if sinners could not correct others, then no one could perform the duty (*ibid.*, 288f. (art. 5)).

⁸⁴ *Ibid.*, 292–5 (art. 6). ⁸⁵ *Ibid.*, 294f. (art. 7).

⁸⁶ *Ibid.*, 298f. (art. 7). This applies to hidden sins without public implications.

⁸⁷ *Ibid.*, 302f. (art. 8). He here takes issue with unnamed authorities who are against such escalation (*dicebant non esse ulterius procedendum*).

⁸⁸ See Alphonsus Liguori (d. AD 1787), *Theologia moralis*, ed. L. Gaudé, Graz 1954, 1:331 §34; *Dictionnaire de théologie catholique*, art. 'Correction fraternelle', 1908. The work of Saint Alphonsus lies behind numerous Catholic treatises of moral theology written since his day, several of which are cited by Blanc (*ibid.*, 1911).

⁸⁹ Alphonsus, *Theologia moralis*, 1:331 §34; *Dictionnaire de théologie catholique*, art. 'Correction fraternelle', 1909, reporting disagreement among the scholars.

⁹⁰ Something more like a set of conditions is given by Albert the Great (d. AD 1280), a teacher of Aquinas. In responding to the question whether fraternal correction is to be performed by all against all, he answers that it is; according to the discretion of the wise, however, it is to be done with moderation, and with attention to four points: (1) the extent of the wrongdoer's guilt; (2) the expectation that he will reform (*spes emendationis*); (3) the status of the admonisher; and (4) his motivation. In his brief comments on these points, he says that if the guilt is slight and it is feared that the result would be worse disorder (*turbatio gravior*), there is no obligation (*Commentarii in quartum librum Sententiarum*, XIX, E, 20 = *Opera omnia*, ed. A. and E. Borgnet, Paris 1890–9, 29:825f.).

⁹¹ Alphonsus, *Theologia moralis*, 1:332f. §§38f. Such five-condition schemas appear in, for example, A. Lehmkuhl, *Theologia moralis*, Freiburg im Breisgau 1898, 1:365, and the *New Catholic Encyclopedia*, New York 1967, art. 'Correction, fraternal' (F. J. Connell), 349a.

What then of the major differences between fraternal correction and forbidding wrong? In the first place, two issues are treated at length which are alien to the Islamic doctrine of forbidding wrong. The first of the eight articles into which Aquinas divides his discussion is concerned with the question whether fraternal correction is an act of charity or of justice⁹² – the answer being that it is the former.⁹³ The last of the eight articles likewise deals with an unfamiliar issue: whether witnesses should be brought in prior to public denunciation⁹⁴ – the answer being that in general they should.⁹⁵ This concern, which has no equivalent in Islam, is directly driven by Christian scripture (Matt. 18:16).

In the second place, there are two points worth noting where the issues are the same, but the answers somewhat different. First, Aquinas is by Islamic standards strikingly inflexible regarding the conditions that dispense one from performing the duty: it is a mortal sin to omit it out of fear (*propter timorem*). Thus fear would be no excuse in a case where one had reason to believe that one could persuade a sinner to pull back.⁹⁶ Later Catholic doctrine, however, is much more cautious on this point, voiding the obligation where it would involve serious harm (*grave damnum*) to oneself.⁹⁷ Second, Aquinas, as we have seen, does not envisage situations

Footnote 91 (*cont.*)

Noldin has four conditions (H. Noldin, *Summa theologiae moralis*, Innsbruck 1955–6, 2:90f. §96). Other authors adopt a schema of three conditions, as in the case of A. Koch and A. Preuss, *A handbook of moral theology*, St Louis, Mo. and London 1924, 5:31, and *Dictionnaire de théologie catholique*, art. ‘Correction fraternelle’, 1910. In this last source the three conditions are listed as follows: (1) the offender must definitely have committed the sin in question; (2) there must be good reason to expect success (‘espoir fondé de réussite’); (3) the performer of the duty must not thereby place himself in serious danger (‘aucun grave danger’). As will be seen below (notes 96f.), the third condition involves a substantive, though tacit, departure from the doctrine of Aquinas.

⁹² Aquinas, *Summa*, 34:274f. (art. 1). ⁹³ *Ibid.*, 276f. (art. 1).

⁹⁴ *Ibid.*, 300f. (art. 8). ⁹⁵ *Ibid.*, 302f. (art. 8).

⁹⁶ *Ibid.*, 280–3 (art. 2). Aquinas here yokes with fear the love of worldly things (*cupiditas*) as an unacceptable motive for failing to perform the duty. Presumably this would also rule out danger to one’s property as an excuse. This whole discussion (including the term *cupiditas*) derives from an argument set out by Augustine (d. AD 430) in Book I, ch. 9 of the *City of God*: the Christians too deserved what they suffered in the sack of Rome because they had not done their duty in rebuking the sinners whose misdeeds provoked God’s wrath (*De civitate Dei*, Turnhout 1955, 8–10 = *The City of God*, abridged translation, ed. V. J. Bourke, New York 1958, 46–9; cf. the Rabbinic discussion between God and Justice, above, note 65, and above, note 54). To make the argument work, Augustine naturally has to minimise excuses, and it is this residue of an ancient polemical context that probably lies behind Aquinas’s inflexibility.

⁹⁷ Alphonsus, *Theologia moralis*, 1:333 §39, condition 5; how this is to be squared with the view of Aquinas (cf. *ibid.*, 332 37) is not clear to me. Other authors follow this stipulation (so, for example, Lehmkühl, *Theologia moralis*, 1:365; *New Catholic Encyclopedia*, art. ‘Correction, fraternal’, 349a; and see above, note 91). Noldin resolves the tension by specifying groundless fear (*vanus timor*) (*Summa*, 2:91 96, condition a, and cf. condition c).

in which it would be appropriate to speak harshly to a superior; the goldsmith of Marw has accordingly no place in his scheme of things.⁹⁸

In the third place, there is a basic structural difference between the Christian and Islamic conceptions. What I did not make clear above is that Aquinas repeatedly distinguishes two kinds of correction. The first is the fraternal correction with which we are now familiar. This kind is done in the interests of the offender (whence it is an act of charity);⁹⁹ it is carried out by simple admonition, without any form of coercion (*non habens coactionem sed simplicem admonitionem*);¹⁰⁰ and it is the business of everyone.¹⁰¹ The other kind of correction is carried out for the common good (*bonum commune*) (whence it is an act of justice);¹⁰² it is marked by coercive force (*habet vim coactivam*), is reserved for superiors (*praelati*),¹⁰³ and may involve punishment (*punitio*).¹⁰⁴ Aquinas offers no term for this second type, but it passes under the name of ‘juridical correction’.¹⁰⁵ How does this compare with Islamic conceptions? Fraternal correction has its equivalent in the verbal rebuke that any believer should administer to an offender. Juridical correction is part of the exercise of superior authority against wrongdoers.¹⁰⁶ What is missing on the Christian side is thus the entire domain of forbidding wrong as performed by the individual believer ‘with the hand’, whether or not this includes recourse to arms.

Finally, it is worth noting that later Catholic doctrine, unlike that of Aquinas, tends to minimise the extent to which private persons are obligated to perform ‘fraternal correction’. One authority concludes his account of the conditions of obligation with the observation that it is clear that little or no blame attaches to private persons (*privati*) who fail to perform the duty.¹⁰⁷ Another stresses that it hardly ever extends to correcting a stranger, the reason being lack of good grounds to expect success in such a case; hence it is rare for private persons to be obligated to perform

⁹⁸ See above, notes 80f. The whole tone of the account suggests that illegitimate power was far less of a problem for Aquinas than it was in Islamic thought.

⁹⁹ Aquinas, *Summa*, 34:276f. (art. 1).

¹⁰⁰ *Ibid.*, 292f. (art. 6). Noldin says that the rebuke need not necessarily be verbal, but the alternative steps he mentions (e.g. putting on a sad face) are, in Islamic terms, in the nature of avoidance rather than action (*Summa*, 2:90 94(a)). Costello is unusual in stating that the duty can be performed by ‘word or deed’ (*Moral obligation*, 23); this goes beyond the authority he cites (*ibid.*, 21 n. 22), but he does not elaborate.

¹⁰¹ Aquinas, *Summa*, 34:284f. (art. 3). ¹⁰² *Ibid.*, 276f. (art. 1), 284f. (art. 3).

¹⁰³ *Ibid.*, 284f. (art. 3), 292f. (art. 6). ¹⁰⁴ *Ibid.*, 284f. (art. 3).

¹⁰⁵ *Dictionnaire de théologie catholique*, art. ‘Correction fraternelle’, 1907 (‘correction juridique’). In his *In quattuor libros Sententiarum*, Aquinas makes the distinction by contrasting the terms *correctio* and *correptio*: ‘while correction (*correctio*) is an act of justice, rebuke (*correptio*) is an act of charity’ (*ibid.*, 550a ra6).

¹⁰⁶ This distinction would have appeared to ‘Abd al-Ghanī al-Nābulusī (d. 1143/1731) (see above, ch. 12, 326f.). ¹⁰⁷ Alphonsus, *Theologia moralis*, 1:333 §39.

the duty among themselves unless they know each other, and rarer still for an inferior to be obligated to correct a superior.¹⁰⁸

Now it would be satisfying to argue that this Christian scholastic doctrine was in turn inspired by that of Islam. Latin Christendom and Islam were neighbours, and Aquinas lived in a period when a considerable volume of material had been translated from Arabic into Latin and received with great excitement. In this general historical context, an Islamic influence on the elaboration of the Christian doctrine of fraternal correction is eminently plausible. But again, clinching the argument is another matter. The process of translation from Arabic into Latin is reasonably well known, and the books translated were overwhelmingly works of science and philosophy; the limited corpus of specifically religious texts translated under the patronage of Peter the Venerable (d. AD 1156) offered no coverage of the scholastic tradition of Islam.¹⁰⁹ We thus have no knowledge of a translation that would have included a systematic account of forbidding wrong, and the likelihood that there ever was such a translation is probably small. At the same time, much that is reminiscent of Islamic doctrine in the account of Aquinas is missing from the slightly earlier discussion of William of Auxerre (d. AD 1231).¹¹⁰ The systematic doctrine of fraternal correction could thus be seen as generated by the application of the new scholastic method to an old religious duty.¹¹¹ This in turn would tend to support the

¹⁰⁸ Lehmkuhl, *Theologia moralis*, 1:366; Noldin (*Summa*, 2:91 §96, condition *d*) and Koch and Preuss (*Handbook*, 5:31, 33) take a similar view. Compare the question put to Khumaynī (d. 1409/1989) (above, ch. 18, note 293). Another difference between later Catholic thought and that of the Muslim scholars is that among the Catholics a question arises about the scope of the duty of fraternal correction where the offence is a violation of a human law (Alphonsus, *Theologia moralis*, 1:331f. §36; *Dictionnaire de théologie catholique*, art. 'Correction fraternelle', 1909f., reporting considerable disagreement on the question and a shift of views).

¹⁰⁹ For this corpus, see J. Kritzeck, *Peter the Venerable and Islam*, Princeton 1964, ch. 3; and see also M.-T. d'Alverny, 'Deux traductions latines du Coran au Moyen Âge', in her *La connaissance de l'Islam dans l'Occident médiéval*, Aldershot and Brookfield 1994, 125–7, and M.-T. d'Alverny and G. Vajda, 'Marc de Tolède, traducteur d'Ibn Tūmārt', in the same volume. For an unusual work of this period which draws on a wider range of Arabic material to produce a handbook of practical morality, see J. Jolivet, 'The Arabic inheritance', in P. Dronke (ed.), *A history of twelfth-century Western philosophy*, Cambridge 1988, 132f., on the *Disciplina clericalis* of the Spanish Jewish convert Petrus Alfonsi. But this work contains nothing relevant to forbidding wrong. I am indebted to Antony Black for bibliographical assistance in this field.

¹¹⁰ William of Auxerre (d. AD 1231), *Summa aurea*, ed. J. Ribailier, Paris and Rome 1980–7, 3:1034–44. His account deals only with three major questions. The first is whether all are obligated, to which he gives essentially the same answer as Aquinas (*ibid.*, 1037.89). The second is about escalation; here to an extent he seems to side with the unnamed scholars with whom Aquinas takes issue (*ibid.*, 1040.41, 1041.70; cf. above, note 87). The third is concerned with rebukes administered by superiors (*ibid.*, 1042.3); in other words, he does not yet distinguish this topic from fraternal correction proper.

¹¹¹ The question whether, or to what extent, the scholastic method as such had an Islamic

view that the Islamic doctrine originated independently of the Jewish conceptions considered above. In short, while we certainly should not rule out a monogenetic view of the incidence of the scholastic doctrines we have reviewed, the fact is that we have little chance of establishing such a hypothesis.

4. NON-MONOTHEIST PARALLELS

What then of the major non-monotheist traditions? I shall briefly consider here the belief-systems of ancient India and China, together with Zoroastrianism. To my knowledge, none of these traditions gives our duty a name, lays much emphasis on it, or elaborates it in a scholastic fashion.

To start with the Indians. I have not found anything of note in a sampling of the mainstream tradition deriving from the Vedas. Turning to the Buddhists, most of their literature is for monks, but there are exceptions; one of them (the *Sigālovādasutta*) is part of the Theravāda (Pāli) canon.¹¹² Here the Buddha (c. fifth century BC) includes among the virtues of the good friend who tells one what one needs to do that 'he restrains [one] from wrong; he establishes [one] in right' (*pāpā nivāreti: kalyāṇe nive-seti*).¹¹³ This has a formulaic ring, and indeed the phrase is shortly repeated: in one passage it is the parents who do this to their child, and in another the leaders in religious life who do it to the young layman of good family.¹¹⁴ Yet the formula seems not to have achieved a wider currency in the canon.¹¹⁵ Nor does the passage receive much attention in the exegetical literature,¹¹⁶ or even in the one post-canonical Pāli work devoted to a systematic exposition of the proper conduct of the layman.¹¹⁷ In short, the value

background does not concern us here (for the view that it did, see G. Makdisi, *The rise of colleges*, Edinburgh 1981, 245–60).

¹¹² See K. R. Norman, *Pāli literature*, Wiesbaden 1983, 42.

¹¹³ *Dīgha nikāya*, ed. T. W. Rhys Davids and J. E. Carpenter, London 1947–60, 3:187 §24 = T. W. and C. A. F. Rhys Davids (trans.), *Dialogues of the Buddha*, London 1899–1921, 3:179 §24). For this work as a whole, see Norman, *Pāli literature*, 32–44.

¹¹⁴ *Dīgha nikāya*, 3:189 §28, and 191 §33 = Rhys Davids, *Dialogues*, 3:181 §28, and 183 §33.

¹¹⁵ See F. L. Woodward *et al.*, *Pāli Tipitakam concordance*, London 1952–, 2:517f., entries for *nivāreti* and *niveseti*.

¹¹⁶ There is a brief commentary on two of our texts in Buddhaghosa (fifth century AD), *Sumaṅgala-vilāsinī*, ed. T. W. Rhys Davids *et al.*, London 1886–1932, 3:950.22 §24, and 953.13 §28, and an equally brief supercommentary in the *Dīghanikāyaṭṭhakathāṭīkā līnatthavaṇṇanā*, ed. L. de Silva, London 1970, 3:175.16 §24, and 180.1 §28. For these works, see Norman, *Pāli literature*, 122, 149. I do not have a very clear idea what either of them has to say, but it does not seem to be of much interest to us.

¹¹⁷ *Upāsakajanālaṅkāra*, ed. H. Saddhatissa, London 1965, 269 §64, and 273 §82 (merely repeating the commentary of Buddhaghosa). The work probably dates from the twelfth century AD (Norman, *Pāli literature*, 170).

failed to catch the eye of Buddhist scholasticism. For the Jainas again I have nothing significant to report.¹¹⁸

The Chinese record, so far as it is known to me, is no richer. Confucius (d. 479 BC) has a saying to the effect that one should admonish friends, but give up if they fail to respond.¹¹⁹ Mencius (fourth century BC) describes the admonition of the ruler by his ministers in similar terms: 'If repeated remonstrations fell on deaf ears, they would leave him.'¹²⁰ In the T'ang period (AD 618–907) it was reckoned one of the duties of the historian 'to encourage good and to reprove evil'.¹²¹ Such stray parallels could doubtless be multiplied; but here again, there seems to be no single central value corresponding to ours, and no scholastic elaboration of such a duty.¹²²

What this discussion of the Indian and Chinese cases might suggest is that there is something about the development of the duty in the Jewish, Christian and Islamic cases that has to do with the character of the monotheist tradition. The relevant features of this tradition might include the following: a sublimely ethical but personal conception of the divine (or

¹¹⁸ There is a systematic presentation of the considerable Jaina scholastic literature on the duties of the layman in R. Williams, *Jaina yoga: a survey of the mediaeval śrāvakācāras*, London 1963. There are a few points at which a principle of preventing fellow-believers from acting wrongly might perhaps seem in place, but it does not actually appear (*ibid.*, 42, item (v); 67f., items (i), (ii) and (v); 272, item 4(iii)). I owe to K. R. Norman the information that the Jainas sometimes affirm the principle 'Do not permit (or consent to) the doing of evil'.

¹¹⁹ Confucius (d. 479 BC), *Analects*, XII:23 = trans. D. C. Lau, Harmondsworth 1979, 117. Admonishing friends is a theme easily attested elsewhere; see, for example, the Pāli text cited above, note 113; Cicero (d. 43 BC), *Laelius de amicitia*, XXV:91 = ed. and trans. J. G. F. Powell, Warminster 1990, 68f. (*et monere et moneri proprium est verae amicitiae*); White, *Christian friendship*, 119, 193. Confucius also has a saying on remonstrating with one's parents which would not have displeased the Muslim scholars (*Analects*, IV:18 = trans. Lau, 74).

¹²⁰ Mencius (fourth century BC), *Mencius*, VB:9 = trans. D. C. Lau, Harmondsworth 1970, 159. It is ministers who are not of royal blood who merely retire in this way if not listened to; those who are of royal blood depose a ruler who has made a serious mistake and does not respond to remonstrations.

¹²¹ See D. Twitchett, *The writing of official history under the T'ang*, Cambridge 1992, 71, 78, and D. McMullen, *State and scholars in T'ang China*, Cambridge 1988, 194. The phrase goes back to the *Tso chuan*, which uses it (with the two components in the opposite order) to praise the style of the *Spring and autumn* chronicle (*ch'eng o erh ch'üan shan*, see J. Legge (ed. and trans.), *The Chinese classics*, Hong Kong and London 1861–72, 5:384.12 = 385 par. 5; I am grateful to Andy Plaks for this reference). For the *Tso chuan*, a commentary on the *Spring and autumn* classic dating from between the fifth and first century BC, see M. Loewe (ed.), *Early Chinese texts: a bibliographical guide*, Berkeley 1993, 67–71.

¹²² The Chinese milieu in which one might have expected to find our value most clearly articulated is Mohism, with its egalitarian and utilitarian ethic. But no such value is attested in what we know of Mohist ethics (see A. C. Graham, *Later Mohist logic, ethics and science*, Hong Kong and London 1978, esp. 44–52).

to put it less respectfully, a supremely self-righteous deity); a degree of active divine and human engagement in the affairs of this world (much posting o'er land and ocean without rest); and a tight sense of religious community (believers are their brothers' keepers). It could be argued that this combination is alien or peripheral to the central message of Buddhism, Jainism, the Vedic mainstream and Confucianism. But if this approach makes some sense, it does not in fact work out very neatly.

Consider the case of Zoroastrianism. Here we have a religion whose basic doctrines display relevant features of the monotheist tradition. It is true that Ahura Mazdā is not an overbearing personal god in the style of Israelite monotheism. But what better sanction for moral activism here and now than a conception of individual moral life as part and parcel of the cosmic struggle between good and evil? 'Every person ought to know: "Where have I come from? For what purpose am I here? Where do I return?" I, for my part, know that I came from Ohrmazd the Lord, that I am here so as to make the demons powerless, and that I shall return to Ohrmazd.'¹²³ Yet in a characteristic text containing several hundred moral sayings,¹²⁴ we find no set phrase identifying the value of preventing others from doing wrong, and little of its substance. We do learn that it is a duty to prevail on someone 'to turn away from a sin through which he might become wicked'.¹²⁵ Likewise it is good to find a friend who will tell one one's faults so that one can correct them.¹²⁶ Yet in general it is a vice, not a virtue, to reproach a sinner for his sin;¹²⁷ rather, it seems, one should correct one's own faults and learn from the goodness of others.¹²⁸ In a couple of sayings the suggestive phrase 'the preservation of the good and the uprooting of the wicked' appears; but it seems to describe a function of rulers and magnates, not of the individual believer.¹²⁹

The overall effect of the non-monotheist parallels is to confirm that there is some link between doctrines of forbidding wrong (to generalise the Islamic term) and the monotheist tradition. But these parallels do not give

¹²³ S. Shaked (trans.), *The wisdom of the Sasanian sages (Dēnkard VI)*, Boulder 1979, 184f. no. D9. Ohrmazd is Ahura Mazdā. Compare also: 'At least three times a day one should reckon with oneself in the following manner: ". . . Have I been today an assistant of the gods or of the demons?"' (*ibid.*, 200f. no. E31e).

¹²⁴ I.e. the sixth book of the *Dēnkard*, in the translation of Shaked cited in the previous note. *Ibid.*, 128f. no. 322.

¹²⁵ *Ibid.*, 46f. no. 115, and 204 = 207 no. E38a; cf. also 28f. no. 78.

¹²⁷ *Ibid.*, 6–9 no. 14, and the parallels noted by Shaked, *ibid.*, 235, to no. 13.4.

¹²⁸ *Ibid.*, 82f. no. 212, and cf. 110f. no. 284.

¹²⁹ *Ibid.*, 44f. no. 113, and 48f. no. 118 (*dārišn ī wehān ud a-rōyišn ī wattarān*). I am grateful to Shaul Shaked for confirming my impression that the value that concerns us is not a prominent one in Zoroastrianism.

us much guidance as to how we should see the link. The Indian and Chinese material would fit the view that there is some elective affinity between forbidding wrong and monotheism; whereas the Zoroastrian comparison tends to restore the suspicion that there may be something monogenetic about the monotheist value. The result is to leave the question of origins undecided.

5. THE DISTINCTIVENESS OF THE ISLAMIC CASE

In his commentary to Q3:110, Fakhr al-Dīn al-Rāzī (d. 606/1210) asks why the fact that the Muslims command right, forbid wrong and believe in God should have made them the best religious community, given that other communities have shared these qualities.¹³⁰ In answer he quotes the Transoxanian Shāfiʿite exegete Qaffāl (d. 365/976).¹³¹ According to this scholar, the difference between the Muslims and their predecessors is that the Muslims perform the duty in its most stringent form (*bi-ākad al-wujūh*): fighting (*qitāl*), which involves the risk of being killed. Though this view was not well received by Rashīd Riḍā (d. 1354/1935),¹³² it is clear from the data on Judaism and Christianity presented above that Qaffāl cannot be faulted on his facts. Neither the Jewish nor the Christian accounts of the comparable duties provide any basis for recourse to violence by individual believers.¹³³ Nor, for that matter, do they incite them to confrontation with unjust rulers;¹³⁴ and the general tone of later Catholic doctrine is particularly tame.¹³⁵ All this is in striking contrast to the political salience and frequent abrasiveness of forbidding wrong in Islam. There are no Jewish or Christian parallels to the ways in which Muslim scholars link the duty to holy war¹³⁶ and Muslim rebels invoke it to grace insurrection.¹³⁷

¹³⁰ Fakhr al-Dīn al-Rāzī, *Tafsīr*, 8:191.21. ¹³¹ For whom see above, ch. 13, 340f.

¹³² Riḍā, *Tafsīr al-Manār*, 4:61.24, 62.11 (to Q3:110), noted in Roest Crolius, 'Mission and morality', 281.

¹³³ See above, 572, and note 100. As Gerald Hawting points out to me, it is striking that the Christian accounts discussed above make no mention of the New Testament story of the cleansing of the Temple by Jesus (Matt. 21:12f., etc.). This is a fine example of righting a wrong 'with the hand': Jesus drives out those engaged in buying and selling, and overturns the tables of the money-changers and the seats of the dove-sellers; in one account he uses a whip to drive sheep and cattle out of the Temple (John 2:15). Cf. below, appendix 2, notes 21f. ¹³⁴ Cf. above, notes 52, 80, 98.

¹³⁵ See above, notes 107f. As pointed out to me by Alexander Nehamas, the fact that the Catholic church – unlike the scholars of Islam – is an organisation with executive authority must be part of the explanation for the relative tameness of the Catholic doctrine of fraternal correction. ¹³⁶ See above, ch. 17, 490f.

¹³⁷ See above, ch. 17, 477f.

At the same time, the basic idea of the duty is antithetical to a hierarchic conception of society.¹³⁸ It is founded in the axiom that each and every legally competent Muslim possesses an executive power of the law of God.¹³⁹ And as elaborated in scholastic doctrine, the duty usually takes no account of differences of social standing. There are, as we have seen, some exceptions to this. In particular, there is the saying that allocates the ‘three modes’ to three groups in society: the rulers are to perform it with the hand, the scholars with the tongue, and the common people with the heart.¹⁴⁰ But it is uncommon to find a major scholar who commits himself to such notions in his formal account of the duty; perhaps the only significant example is the Shāfi‘ite Ḥalīmī (d. 403/1012).¹⁴¹ Since hierarchic conceptions of society were commonplace in the thought of medieval Muslims,¹⁴² it is the relative absence of such notions in formal statements of the doctrine of forbidding wrong that is striking. Thus while parents are regularly presented as a special case, this is not so with social superiors in general.¹⁴³ It does not follow that the duty should be seen as actively subversive of all hierarchy. From this point of view, it is remarkable that its implications for some of the most fundamental inequalities are rarely explored: those between slaves and the free,¹⁴⁴ and between women and men.¹⁴⁵ Nevertheless, the egalitarian bias of the duty was by no means entirely neutralised in its exposure to a society that was in many ways saturated with hierarchic conceptions. Perhaps the everyday character of the duty and its individual locus rendered it fitter to survive the realities of medieval Islamic society than, for example, the contractual conception of political legitimacy.¹⁴⁶

We have, then, a duty of an unusual character. It is an integral part of the mainstream scholastic tradition of Islamic societies; and yet it retains a marked potential for violence, subversion and egalitarianism.¹⁴⁷ In this combination lies the distinctive character of the Islamic conception of the duty.

¹³⁸ As Khumaynī puts it, commanding and forbidding are in the nature of an exercise of authority (*mawlawī*), even when undertaken by someone of humble station (*sāfil*), and are to be expressed accordingly (*Taḥrīr*, 1:465 no. 12).

¹³⁹ Compare the story of the ascetic who was challenged by the Sāmānid Naṣr ibn Aḥmad (r. 301–31/914–43) with the question who had charged him with *ḥisba*, and responded to the effect that God had done so (Ya‘qūb ibn Seyyid ‘Alī, *Sharḥ*, 497.24; for similar anecdotes, see above, ch. 16, notes 133, 226).

¹⁴⁰ See above, ch. 17, notes 29f., 158, and the cross-references given there; and cf. above, ch. 17, notes 159f. for similar trends. ¹⁴¹ See above, ch. 13, 341f.

¹⁴² L. Marlow, *Hierarchy and egalitarianism in Islamic thought*, Cambridge 1997, esp. 6–10.

¹⁴³ See, for example, Kāshif al-Ghiṭā’, *Kashf*, 420.19. ¹⁴⁴ See above, ch. 17, 486.

¹⁴⁵ See above, ch. 17, 482–6.

¹⁴⁶ Cf. B. Lewis, *The political language of Islam*, Chicago and London 1988, 58.

¹⁴⁷ Or as Goldziher rather sourly put it, appeal to this exalted duty provided a ready occasion for all sorts of disturbances (‘toutes les agitations’) (*Livre*, 88, and cf. the examples given, *ibid.*, 88–96).

Here the question of origins is arguably more straightforward. Strothmann, who was much intrigued by what he called the ‘democratic’ character of the duty,¹⁴⁸ was inclined to see its origin in a combination of two elements: on the one hand the ‘inclinations of a democratic Arabian ethos to a law of the jungle’ (*faustrechtliche Neigungen eines demokratischen Arabertums*), and on the other an ‘idea of a religious community’ (*ein religiöser Gemeinschaftsgedanke*).¹⁴⁹ We have already touched on the relevance of a sense of religious community;¹⁵⁰ what concerns us here is Strothmann’s invocation of the ethos of Jāhili society.

Pre-Islamic Arabian society was tribal, and in considerable measure nomadic, inhabiting a land whose meagre resources favoured neither strong state authority nor elaborate social stratification. It was accordingly a society in which every man was an uncrowned king.¹⁵¹ Or to put it in more prosaic terms, political and military participation were very widely spread, far more so than in the mainstream of human societies – whether those of the steppe nomads,¹⁵² the later Islamic world, or the modern West. It was the fusion of this egalitarian and activist tribal ethos with the monotheist tradition that gave Islam its distinctive political character. In no other civilisation was rebellion for conscience sake so widespread as it was in the early centuries of Islamic history; no other major religious tradition has lent itself to revival as a political ideology – and not just a political identity – in the modern world.¹⁵³

The uniqueness of the Islamic doctrine of forbidding wrong can be understood against this background. In Islam, of course, the sovereignty of God means that it is no longer admissible for every man to be a king. But as Ibn al-ʿArabī (d. 543/1148) put it, individuals (*āḥād al-nās*) act as God’s deputies (*nuwwāb Allāh*) in forbidding wrong.¹⁵⁴

¹⁴⁸ Strothmann, *Staatsrecht*, 92–4. Strothmann’s remarks are aptly highlighted by van Ess (*Theologie*, 4:675 n. 15, 705 n. 14), who himself follows Strothmann in describing *al-amr bi’l-ma’rūf* as rooted in the egalitarian tribal ethos of pre-Islamic Arabia (*ibid.*, 707).

¹⁴⁹ Strothmann, *Staatsrecht*, 93. My translation of *Faustrecht* (literally ‘fist-law’) as ‘law of the jungle’ is perhaps misleading to the extent that it suggests the absence of any kind of law; Strothmann may rather have had in mind the practice of the late medieval German feud (see *Handwörterbuch zur deutschen Rechtsgeschichte*, Berlin 1971–97, 1:1079f., art. ‘Faustrecht’ (E. Kaufmann)).¹⁵⁰ See above, 580f.

¹⁵¹ ‘Every man of us is a power unto himself’ (*kull rajul minnā fi nafsihī ‘azīz*), as the Kutāma described their rather similar society to Abū ‘Abdallāh al-Shīʿī (d. 298/911) (Nuʿmān, *Ifṭitāḥ al-daʿwa*, 65.4).

¹⁵² For the contrast with the richer, more stratified and politically more developed nomadic societies of the Eurasian steppes, see P. Crone, *Slaves on horses*, Cambridge 1980, ch. 2.

¹⁵³ P. Crone, ‘The tribe and the state’, in J. A. Hall (ed.), *States in history*, Oxford and New York 1986, 74–7.¹⁵⁴ See above, ch. 14, note 53, and cf. Gardet, *Cité*, 185.

CHAPTER 20

CONCLUSION

1. INTRODUCTION

One culture which was conspicuously absent from the comparisons made in the previous chapter is our own. This culture may not have much standing *sub specie aeternitatis*, but here and now it has a certain call upon our attention, if only by virtue of being ours. I shall therefore conclude this book with an attempt to identify some key ways in which the attitudes bound up with forbidding wrong resemble or differ from those of the mainstream of contemporary Western culture.¹

There is clearly no problem with the intelligibility, and indeed acceptability, of the basic idea of the value in Western culture. A contemporary Muslim writing in Arabic relates an anecdote about a Swede who told off a rich American tourist for speeding on a quiet Swedish country road; he comments that this is an instance of commanding right and forbidding wrong.² More than this, almost everything of substance that Muslim scholasticism has to say about the doctrine is intelligible to a Western reader who knows nothing about Islam; and a lot of it makes good sense. To see this, one has only to make the experiment of translating the doctrine of, say, the classical Imāmī scholars into plain English. It might go something like this:

‘If you see someone doing something wrong, you ought to try to get them to stop. You should say something, or if that doesn’t work, you

¹ All references to Western culture in this chapter are to its prevailing modern form – which I would describe as broadly secular and liberal. It is, of course, readily compatible with a non-fundamentalist allegiance to a variety of traditional religions, including Judaism, Christianity and Islam.

² ‘Abd al-‘Aziz Kāmil, ‘Huqūq al-insān fī ‘l-Islām: naẓra fī ‘l-mushkilāt al-naw‘iyya’, in Université de Tunis, Centre d’Etudes et de Recherches Economiques et Sociales, IIIème Rencontre Islamo-Chrétienne, *Droits de l’homme*, Tunis 1985, 43–5. Kāmil’s use of the anecdote trades on the moral solidarity of all civilised people (or at least, of Arabs and Europeans) against Americans. The American, of course, tells the Swede to mind his own business, but backs down in the face of the manifest solidarity of the Swedish bystanders with the author of the rebuke.

should do something. Failing that, well, you can just wish them to stop.³ But don't get too violent – that's for the police. If somebody really ought to take a certain course of action, then you really ought to tell them to; but if it's just that it would be nice if they did, then maybe it's a nice idea to suggest it to them. If there's a lot of people there, and somebody else speaks out, you don't have to; but if nobody does, it's up to you. But don't think you ought to jump in just like that. There may be several good reasons for keeping out of it, such as: "Come on, what's wrong with what he's doing?"; "Look, they've stopped anyway"; "Forget it – those people just don't listen"; "Forget it – he's bigger than you"; "Last time somebody told them to stop they smashed up his car"; "Try that and you'll just end up making matters worse".⁴

What then of the differences? One respect in which the Muslim doctrine of forbidding wrong immediately strikes us as alien is the scholastic manner of its presentation – whence my attempt to naturalise it by translating it into plain, rather than academic, English. In part, this reflects a widespread feature of the moral thinking of Western populations today. Whatever people may say about us, we have our moral values, and we think, talk and argue about them. But we do not do so in a technical language characterised by formal definitions and rules. We might like to describe our moral language as more spontaneous, more nuanced, more sensitive to the uniqueness of each individual case. Others might call it subjective, arbitrary and inconsistent – a primitive and untutored colloquial. Whether our way of handling moral questions is a good thing or a bad thing is beside the point;⁵ what seems clear is that in this respect the Muslims have something we don't.

We do, of course, have moral philosophers in our universities. They are known to have a lot of sophisticated and inconclusive things to say about the foundations of morality, none of which they agree upon among themselves. But they have tended to provide us with relatively little direct assistance

³ We may not have much use for this notion, but then neither did the Mu'tazilites. Of course if the idea is to scowl at the offender, that would make sense as a strategy.

⁴ It would be harder to render into so plain an English the Imāmi discussion of the question whether the source of the obligation is revelation alone, or revelation and reason. But there are still a good many people in Western societies for whom this raises an intelligible issue.

⁵ My opinion, for what it is worth, would be that the scholastic approach does not help much with the more intractable problems, such as assessing the relative costs of action and inaction. On this one might compare Walzer's observation on the indeterminacy of the 'proportionality maxim' with regard to the morality of war: 'We have no way that even mimics mathematics of comparing the costs of fighting to the costs of not fighting, since one set of costs is necessarily speculative, while the other comes in, as it were, over an indeterminate time span' (M. Walzer, *Just and unjust wars*, New York 1992, xvi). On the other hand, checklists can be very useful in everyday life. One cannot land a plane by mentally reciting a checklist, but even experienced pilots who fail to do so sometimes forget to put down the undercarriage.

when it comes to thinking through the moral problems that most of us actually face.⁶ In any case, we are not in the habit of taking our moral dilemmas to moral philosophers, any more than a scientist would refer a research problem to a philosopher of science. Nor do they seem to expect us to consult them in this way.

This straightforward contrast between the scholastic moral thought of Islam and the vernacular thought of the West is not, however, quite right. For one thing, we can take it for granted that the overwhelming majority of Muslims down the ages did not think scholastically. For another, academic writers in the West have in fact produced a measure of systematic thought that is of interest to us. This thought is not precisely concerned with our duty, but it does grapple with a theme sufficiently close to be relevant. The theme in question is the duty – assuming it is one – of rescue.

2. RESCUE AND FORBIDDING WRONG

The difference between rescue and forbidding wrong can be set out as follows. The duty of rescue is by definition an obligation to come to the aid of people in trouble. Whether or not the trouble is an intentional consequence of human wrongdoing is to this extent irrelevant. Consider the case of rape at a local train station in Chicago with which we began this book. If the woman had been the victim, not of rape, but of falling masonry in an earthquake, then – other things being equal – the bystanders would still have been under an obligation to try to assist her. Forbidding wrong, by contrast, is not a duty to help people in trouble, but rather to stop people doing wrong. In this case what is irrelevant is whether or not the wrongdoing has a human (or animal) victim. If we assume for the sake of argument that consensual sex between an unmarried couple is wrong, then there would still have been a duty to stop the man having sex with the woman even if the two had been lovers. Each duty thus extends to an area which is foreign to the other. Where the woman is trapped by falling masonry, there is no wrong to be forbidden; where she is willingly having sex, there is no victim to be rescued.⁷

⁶ They are likely to contribute more to our understanding of issues that are at once very new and frighteningly technical, as with the ethics of genetic engineering.

⁷ There are ways in which one could seek to minimise the difference. On the one hand, the Muslim duty in respect of victimless wrongdoing could be seen in terms of rescuing a sinner who is in spiritual danger (a point I owe to Mark Johnston; cf. above, ch. 14, note 169). And on the other, there is a tendency for tort litigation in the United States to be based on the axiom that there is no such thing as bad luck (a formulation which I owe, I think, to the *Economist*).

But what of the intersection? When the man rapes the woman, we have both a wrongdoer and a victim. On this common ground, the two duties remain distinct in principle: one focuses on putting a stop to the wrongdoing, the other on coming to the aid of the victim. Yet in practice, things may not be so neatly compartmentalised. Real life is such that the two duties are easily conflated, not to say confused, and the results are apparent both in our thinking and in that of the medieval Muslims.⁸

On our side, the conflation is strikingly illustrated by the disparity between the words and deeds of Randy Kyles, the hero of the Chicago rape case. What he did was to ensure that a wrongdoer was brought to justice. Yet the reason he later gave for his conduct was that he ‘had to do something to help that woman’.⁹ This may be conceptually infelicitous, but it articulates a basic psychological reality: when we see one person maltreating another, our anger against the perpetrator and our sympathy for the victim are two sides of the same emotional coin. It would be untrue to the emotions we characteristically feel in such cases to say, for example: ‘I have every sympathy with rapists, it’s just that unfortunately their actions are harmful to their victims.’

A similar conflation is latent on the Muslim side. There is systematic thought in Islam about the duty of rescue, and in principle there should be no problem distinguishing this from the doctrine of forbidding wrong. But in fact, most of what I have learnt of Muslim views on rescue derives from material incorporated into accounts of forbidding wrong. A particularly striking example is found in a major Ibādī account of the duty. Here at one point we encounter a statement of one’s duty in a situation in which a boy is stuck up a palm-tree and shouting for help.¹⁰ This, clearly, is a case of rescue pure and simple: there is no question of any wrongdoing on the part of either the boy or the palm-tree, or of any right conduct that could be enjoined upon either. It is not, of course, that the Muslim scholars are unable to make the distinction between forbidding wrong and rescue when they

⁸ It is noteworthy that such confusion is not in evidence in the aspects of Jewish and Catholic thought described above, ch. 19, section 3. The reason is perhaps that the duties analogous to forbidding wrong in these faiths are too low key to overlap with that of rescue.

⁹ See above, preface, note 3. In other words, he presents himself as a good Samaritan; but what the Samaritan of the parable did was to attend to the needs of the victim, not to confront the long-departed robbers (Luke 10:29–37).

¹⁰ Abū Bakr al-Kindī, *Muṣannaf*, 12:41.2, in a short chapter on coming to the help of those who cry out for it. Likewise the following statement forms part of an account of forbidding wrong: ‘If he sees someone trying to kill another person, he is obligated to defend him as he would defend himself; for since he is obligated to save the life of another by giving him his food, and to save him from drowning, so likewise he is obligated to defend him’ (Abū Ya‘lā, *Amr*, f. 109a.13).

want to,¹¹ but rather that the border tends not to be well demarcated. Again, this corresponds to the way things are. In real life, it would surely go against the natural flow of emotion for a Muslim engaged in forbidding wrong to be a zealous antagonist of rapists and yet at the same time more or less indifferent to the sufferings of their victims. In the reign of the caliph al-Muʿtaḍid (r. 279–89/892–902), the story goes, a tailor of Baghdad sought helpers to join him in confronting a high-ranking Turkish military officer who had abducted a beautiful young woman as she left the baths. He made his appeal in these terms: ‘You know what this man has done. So come with me so that we can go and protest against him and save the woman from him’ (*fa-qūmū maʿī ilayhi li-nunkir ʿalayhi wa-nukhalliṣ al-marʾa minhu*).¹² In the circumstances, Randy Kyles might have said the same.

This close affinity between rescue and forbidding wrong is perhaps linked to a character trait shared by those who habitually practise them. Modern Western study of rescuers suggests that, alongside their courage, they are characterised by what might be described as the lack of a faculty of social discrimination found in normal human beings. A Silesian countess who helped Jews in the Second World War explained that she did so because they were persecuted, not because they were Jews; their ethnicity, she emphasised, ‘was not important to me at all’, though it was clearly very salient to many Jews and non-Jews at the time.¹³ But research suggests that it is not just ethnicity to which confirmed rescuers are blind: they fail to discriminate, in the way that the rest of us do, between their kith and kin on the one hand and strangers on the other.¹⁴ This trait would probably have been immediately recognisable to many medieval Muslims who made a practice of forbidding wrong. At a certain level we greatly admire such

¹¹ See above, ch. 15, notes 183–5. One modern author makes a relevant distinction, including among his examples one that goes to the heart of the Chicago rape case: intervening to prevent illicit sex is an instance of forbidding wrong where the woman is willing, but not where she is unwilling (ʿAwda, *Tashrīʿ*, 1:511f. no. 349).

¹² Ibn Kathīr, *Bidāya*, 11:90.9. Likewise the tailor says of his initial attempt to act on his own: *fa-qumtu ilayhi fa-ankartu ʿalayhi wa-aradtū khalāṣ al-marʾa min yadayhi* (*ibid.*, 90.6). Later the caliph excoriates the Turk for his conduct, and denounces his violent treatment of the tailor, ‘who commanded you right and forbade you wrong’ (*ibid.*, 91.3). The whole story goes back to Tanūkhī (d. 384/994) (*al-Faraj baʿd al-shidda*, 218.20–221.9, and *Nishwār al-muḥāḍara*, 1:312–18); here the wording is different, but the concern for both the enormity of the sin and the well-being of the woman is just as clear in the narrative. A version also appears in Nizām al-Mulk (d. 485/1092), *Siyar al-mulūk*, ed. H. Darke, Tehran 1372 sh., 66–78 (I owe this reference to Patricia Crone). The story is quoted from Ibn Kathīr in Sabt, *Amr*, 289–92.

¹³ K. R. Monroe, *The heart of altruism: perceptions of a common humanity*, Princeton 1996, 148. She expressed her world-view as follows: ‘You cannot just look at all this and do nothing. During my whole life, I’ve always been intervening in things I found unjust.’ This is not how most of us think or act; if we intervene once in a while, it is likely to be in reaction to something that touches us much more closely than ‘all this’. ¹⁴ *Ibid.*, 19, 165.

indifference, and we are sometimes ready to emulate it at the level of ethnicity – which for an educated Westerner today is usually not too difficult. But even such Westerners are much less likely to maintain this indifference where their friends and relations are concerned. In other words, habitual rescuers and inveterate forbidders of wrong may have something in common that separates them from humanity at large. A pragmatic Yemeni ruler of the seventh/thirteenth century, refusing to take action against a pietist who had sabotaged plans for a party in Aden by pouring out large quantities of wine, remarked succinctly: ‘Anyone who does that must be either a saint or a madman, and either way we have nothing to say to him.’¹⁵ He could perhaps have said the same about outstanding rescuers.

Be this as it may, we can conclude that rescue and forbidding wrong, though conceptually distinct, overlap in a sufficiently intimate way to make them broadly comparable. With that much established, we can go on to ask about the relative salience of systematic thought about the two duties in the respective cultures. My overwhelming impression is that the scholastic doctrine of forbidding wrong is far more salient in Islamic culture than comparable discussion of rescue is in ours. The best evidence I can adduce for this is autobiographical: as I remarked at the outset, it was only as a by-product of my study of forbidding wrong in Islam that I became aware of the existence of a body of academic writing on the duty of rescue in my own culture.¹⁶ This in turn tends to reinforce the finding of the previous chapter that there is something distinctly unusual about the development of the duty to forbid wrong in Islam.

3. RIGHT AND WRONG

Muslim and Western notions of the duty to stop wrongdoing also differ in another important area: the understanding of right and wrong. The differences are real, though not always as profound as they look.

¹⁵ Yāfi‘ī, *Mir‘āt*, 4:227.1. The ruler was the Rasūlid al-Malik al-Muzaffar (r. 647–94/1250–95), and the pietist was a certain ‘Abdallāh ibn Abī Bakr al-Khaṭīb. I owe this reference to Tamer El-Leithy.

¹⁶ See above, preface, xi. The recent Western attention to rescue has been driven partly by philosophical concerns, and partly by legal ones. For examples of the former, see E. Mack, ‘Deontology, negative causation, and the duty to rescue’, in E. Regis Jr. (ed.), *Gewirth’s ethical rationalism*, Chicago and London 1984 (and cf. A. Gewirth, ‘Replies to my critics’, *ibid.*, 233–41); T. Young, ‘Analogical reasoning and easy rescue cases’, *Journal of Philosophical Research*, 18 (1993). The legal concern is more immediately practical. Against the background of long-standing differences between legal systems, there has been a good deal of debate over the desirability or otherwise of laws imposing penalties for failure to rescue without good cause (see, for example, the references given above, preface, note 8, and Hunt, *The compassionate beast*, 150–2). Thanks to questions raised under a French law of this kind regarding the role of the paparazzi in the death of Princess Diana in a car-crash in Paris in 1997, this concern is now better known than it used to be in the English-speaking world.

Most obviously, there are significant differences as to which particular things are right and which are wrong. As we have seen repeatedly in this book, these differences are at their most colourful with regard to wine, women and song. Yet even here, Muslim norms are usually intelligible to us to the extent that they tend to be closely related to what we recognise as moral dangers. Mainstream Western culture has little use for an outright prohibition of alcohol; but we do not approve of drunken drivers or like to see people become alcoholics. Our ideas as to how women should be dressed and the degree to which they should be segregated, while puritanical by some West African standards, are a long way from traditional Islamic mores; yet we worry a great deal about the less desirable consequences of the interactions we permit between the sexes. It is perhaps only in the case of the stance of the Islamic scholars against music that cross-cultural intelligibility breaks down almost completely. It would be hard in the West to present the Saʿūdī campaign against the mouth organs of the street urchins of Jedda as anything but a comedy.¹⁷ Yet even here, such attitudes to music can strike a chord in our past, not to mention the fringes of our present. There is, after all, nothing uniquely Islamic about puritans who do not like other people to have fun, and nothing exclusively Western or modern about anti-puritanism.¹⁸ Nor should we forget one remarkable, if adventitious convergence: middle-class America has come to regard smoking with an intolerance verging on that of unreconstructed Wāhhābism. But whether we dwell on the similarities or the differences, the fact remains that questions about the rightness or wrongness of particular activities have only an indirect bearing on the way in which the duty itself is conceived. They are merely the circumstances that trigger it.

There is, however, a contrast between the Muslim and Western views of rights and wrongs which takes us somewhat closer to the core of the value. This has to do with conceptions of public and private. We can best approach this contrast by going back to the moral – or amoral – principle that is so often pitted against forbidding wrong: minding one's own business.

As we have seen, telling a busybody to mind his own business was a stock response to unwelcome attempts to forbid wrong in the traditional Islamic world.¹⁹ During his westward journey through North Africa, Ibn Tūmart

¹⁷ See above, ch. 8, note 128.

¹⁸ The late Qājār poet Īraj Mīrzā (d. 1344/1926) has a short poem ridiculing some pietists in Mashhad who rushed to a caravanserai to cover up a plaster image of a beautiful woman (*Dīvān-i kāmil*, ed. M. J. Mahjūb, Van Nuys, Ca. 1989, 177f. no. 36, and see *ibid.*, 278 thereto). We can see this poem as the work of someone who had modern ideas and was at home in Russian and French (see J. Rypka *et al.*, *History of Iranian literature*, Dordrecht 1968, 384f.). But at the same time it is not out of place in an indigenous anti-puritan tradition going back to Ḥāfiẓ (d. 791/1389) (see above, ch. 17, notes 241–3).

¹⁹ See above, ch. 17, 498f.

(d. 524/1130) found the people of Dashr Qallāl engaged in making music in mixed company. He sent two of his followers to forbid this wrong, but the response they met with was: ‘This is how we do things.’ When the disciples insisted to the offenders that Ibn Tūmart was commanding them right (*maʿrūf*), they received the retort: ‘We go by our kind of right, and you go by yours; go away!’²⁰ The replies are laconic, but they clearly assert the moral sovereignty of the local community and the wider moral relativism this implies. In general, however, our sources give us little sense of the thinking behind the stock response. Is it the cynical irritation of the hardened wrongdoer who has no intention of mending his ways, or the moral outrage of someone confronting intrusion into what are properly his own affairs?

The idea of minding one’s own business is doubtless more complex than it looks in either Muslim or Western culture. Perhaps the main point that needs to be made is that this value, though it may sound individualistic or parochial, is not necessarily so. What constitutes my business has as much to do with the social groups to which I belong as it does with the particular type of business in hand, and these groups may be large ones. For example, it was under the rubric of minding one’s own business that, as a British child growing up in a Mediterranean country, I was counselled by fellow-nationals not to interfere when the locals were cruel to animals. The corollary, I take it, was that within the British moral community cruelty to animals would indeed have been my business. A national group of this kind falls well short of embracing the entire human race, but it goes considerably beyond the social groups we usually encounter in everyday life.

In modern Western thought, the demarcation of our business tends to be dominated by a pair of strongly articulated principles. The first is that where wrongdoing inflicts harm on others, it is everybody’s business.²¹ In accordance with this principle, we concern ourselves with violations of human rights in such culturally exotic regions as East Asia, the Middle East

²⁰ Lévi-Provençal, *Documents inédits*, 63.3 (*hākadhā ʿl-sīra ʿindanā*), 63.5 (*maʿrūfunā ʿindanā wa-maʿrūfukum ʿindakum, sīrā!*). I have departed from Lévi-Provençal’s translation (*ibid.*, 98). For the context, see above, ch. 16, 458f.

²¹ A few years ago a black Princeton undergraduate recounted how she was exposed to racial slurs in a local store. She stood up to her verbal assailants, and was subsequently complimented for this by white bystanders. But why, she asked, had the bystanders done nothing at the time? ‘Obviously they felt it was right what I was saying, and maybe they felt scared or whatever or it wasn’t any of their business. But it is their business, and it’s everyone’s business when something like that happens’ (D. Vogl, ‘The other side of Paradise: race relations and the minority community at Princeton’, *The Princeton Eclectic*, Fall 1993, 6). The answer to her question is likely to have been the ‘bystander effect’ (see above, preface, note 5); but her observation about ‘everyone’s business’ seems an entirely natural use of our moral language.

and Africa. Here our business is coterminous with that of the human race, and our censoriousness has no geographical or cultural bounds. The second principle is that wrongdoing that affects only the wrongdoer is nobody's business but his own;²² indeed it may be argued that, for this very reason, there is no justification for calling it wrongdoing at all. In accordance with this second principle, we deny that moral puritans, social conservatives, missionaries and paternalists of all sorts have any business encroaching on our right to decide for ourselves how to live – and by extension, on the right of others to make the same decision for themselves. Here our business is transacted within the immunity of our castles, and would-be censors are contemptuously turned away. The two principles are in marked contrast to each other. But the combination is not illogical, and it makes very good sense – to us.

The situation in traditional Islamic thought is somewhat different, though once again not unrecognisably so. The distinction between wrongdoing that harms others and wrongdoing that affects only the wrongdoer is well established. The first is the business of a very large, though not in practice universal, group: the Muslim community.²³ If members of this community respond to fellow-Muslims who reprove them for this kind of wrongdoing by telling them to mind their own business, this riposte will sound more like cynical irritation than moral outrage.

With regard to wrongdoing that does no harm to others, the situation in traditional Islamic thought is more complicated. It is beyond question that in Islamic terms such wrongdoing is indeed wrongdoing. This is related to the fact that it is necessarily the business of at least one other person, namely God; in other words, it is sin. But the most significant point for our purposes is perhaps that such wrongdoing, while not in itself the business of other members of the community, can nevertheless become so. As we have seen, while Islam has definite notions of privacy and gives them

²² Cf. the classic formulation of John Stuart Mill (d. AD 1873): 'the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others'; whereas in the part of his conduct that merely concerns himself, 'his independence is, of right, absolute' (*On liberty*, London 1859, 22; note that in speaking of power he intends here not just legal sanctions, but also 'the moral coercion of public opinion', *ibid.*, 21). This suggests that the two principles are complementary, thus removing any basis for proceeding against a category of wrongs which, while they could not be said to do actual harm to others, nevertheless cause them great offence (see the highly imaginative list of such wrongs in Feinberg, *Moral limits*, 2:10–13).

²³ The believers are brothers (Q49:10). Compare the familial idiom in which Randy Kyles constructs a wider moral community: 'It could have been my mother, my aunt, one of my mother's friends' (see above, preface, note 3). Conversely, as pointed out to me by Alexander Nehamas, cases of failure to rescue trigger laments about 'the breakdown of community'.

strong articulation, there seems to be a difference between Islamic and Western thinking along the following lines.²⁴ In a Western perspective, certain kinds of behaviour tend to be thought of as an inherently private matter, whether or not they happen to become public knowledge.²⁵ In Islamic thought, by contrast, such behaviour may be only contingently private.²⁶ Wrongdoing that does not affect others will tend for that very reason to remain in the private domain; and by and large, it is urged, it should be allowed to remain there. But once it ceases to be private, the cat is out of the bag, and more drastic norms may properly come into play. Here the initial response to the censorious intruder that he should mind his own business does indeed bespeak a valid moral outrage;²⁷ but the Muslim's home may in the event prove to be something less than his castle.

These differences between modern Western and traditional Islamic views have clear consequences in the modern Islamic world. In consequence of the Western impact, the Muslim doctrine of forbidding wrong now confronts a theory of minding one's own business significantly different from its own. In the global setting in which we now live, there is a much stronger sense than before that the Muslim community is just one among others, and in consequence that it enjoys no monopoly of moral judgement. Its members are accordingly liable to be subjected to moral scrutiny and condemnation from outside their own community. At the same time the focus of this scrutiny is often precisely on the attempts of zealous Muslims to impose their own standards of virtue on their coreligionists. Such zealots may be materially assisted in this by the power of the modern state, which has a way of turning castles into sandcastles. But in the long run these states are not proving very successful in insulating the societies

²⁴ See above, ch. 17, 481f. For Muslim attitudes to privacy more generally, see above, ch. 17, section 3, and cf. above, ch. 18, 556–60. A brief but useful modern survey of the field is Muhammad Rākān al-Dughmī, *Himāyat al-ḥayāt al-khāṣṣa fī 'l-sharī'a al-Islāmiyya*, Cairo 1985. The author represents a moderate Jordanian Islam.

²⁵ Writing in the United States in the last years of the millennium, I am compelled to make an exception with regard to the attitude of the local culture towards adultery among American politicians and military officers. But even here, Vernetha Grant of Harlem seemed in the event to speak for a considerable part of the American public when she summed up the scandal over President Clinton's affair with Monica Lewinsky in these words: 'This is a nation of busybodies. If he's guilty, let his wife handle it' (*The New York Times*, 27 January 1998, B1).

²⁶ The concept of 'private life' (*al-ḥayāt al-khāṣṣa*), which appears in Dughmī's title and shapes his work, is a Western one, without precedent in his Islamic sources (cf. the comment of 'Abd al-'Azīz al-Khayyāt in his introduction to the book, *ibid.*, 3.19). The indigenous concepts (*ṣatr*, *tajassus*) typically relate to the processes by which what is secret remains or ceases to be so.

²⁷ As in the story of 'Umar's three sins (see above, ch. 4, note 269; ch. 17, note 85; and ch. 18, 557f.).

they rule against the influence of the West. A contemporary Iranian cleric complains that attempts to forbid wrong now meet with the following riposte: ‘What’s it to you? I’m free, it’s a free country, it’s a democracy, everybody does whatever he wants!’²⁸ The opening question is traditional, but the continuation is not. The prevalent Western values thus tell Muslims that it is *our* business how they treat other Muslims; and at the same time they tell them that it is not *their* business how other Muslims choose to live. Both messages involve sharp departures from the traditional – and modern – Islamic conception of forbidding wrong. It should not therefore be surprising that there has been considerable friction between Muslim and Western moral attitudes in such matters.

One example of this friction is a bruising exchange which took place between Āyatullāh Khumaynī (d. 1409/1989) and the Italian journalist Oriana Fallaci some months after the Iranian revolution.²⁹ With regard to the undemocratic direction in which the Islamic Republic was moving, Fallaci prompted Khumaynī to make these remarks: ‘If you foreigners do not understand, too bad for you. It’s none of your business, you have nothing to do with our choices. If some Iranians don’t understand it, too bad for them. It means that they have not understood Islam.’³⁰ Later Fallaci raised the even more contentious topic of the segregation of women. She made pointed reference to Islamic norms governing behaviour on the beach, and mischievously posed the question: ‘By the way, how do you swim in a chador?’ To this, Khumaynī responded tetchily: ‘This is none of your business. Our customs are none of your business.’³¹ In claiming the standing to ask her impudent question, was Fallaci simply including herself in the brotherhood of all mankind? Or worse yet, was it her nefarious purpose to deny Khumaynī the standing to answer the question by excluding him from the sisterhood of all womankind? It is striking that in the face of this provocation, Khumaynī should have been reduced to talking like the people of Dashr Qallāl; as one commentator indicates,³² an Āyatullāh might have been expected to appeal to a higher authority than local custom. Towards the end of the interview, Khumaynī’s irritation increased perceptibly: ‘And now that’s enough. Go away. Go away.’ Even at that point, however, Fallaci did not take the hint.³³

²⁸ Mişbāḥ Yazdī, ‘Tashrīḥ’, 34.3. Cf. above, ch. 18, note 361.

²⁹ Oriana Fallaci, ‘An interview with Khomeini’, *The New York Times Magazine*, 7 October 1979. This interview is cited in Feinberg, *Moral limits*, 4:39, and partly quoted *ibid.*, 342 n. 2. ³⁰ Fallaci, ‘Interview’, 30c. ³¹ *Ibid.*, 31b.

³² Feinberg, *Moral limits*, 4:39. ³³ Fallaci, ‘Interview’, 31d.

In conclusion, it is worth noting that the two major differences between Muslim and Western ideas discussed in this chapter are closely linked. The reason why Western thought concentrates on rescue and neglects forbidding wrong is bound up with the fact that in Western thought the category of victimless wrong – pure sin, so to speak – has been stripped of most of its practical moral significance, if not denied to exist altogether. ‘They’re not doing any harm’ is regularly given as a sufficient reason for leaving them alone. If all wrongs must have victims, then what is left of the moral ground is covered by rescue. This, of course, takes us back to a fundamental point of tension between the two world views: the standing, if any, of God in human affairs.

APPENDIX 1

KEY KORANIC VERSES AND TRADITIONS

Certain Koranic verses and traditions recur frequently in the preceding chapters. For the reader's convenience, I give here the text and translation of the more important verses, and a translation of the traditions most often referred to. Where relevant verses also contain material that does not bear significantly on forbidding wrong, I have omitted it. I have given traditions in a standard form without noting variants. For each verse or tradition, a cross-reference is given to the place where it is first discussed (not necessarily first cited).

A. KORANIC VERSES

(1) Q3:104: *wa-l-takun minkum ummatun yad'ūna ilā 'l-khayri wa-ya'murūna bi'l-ma'rūfi wa-yanhawna 'ani 'l-munkar* ('Let there be one community of you, calling to good, and commanding right and forbidding wrong'). See above, ch. 2, 13.

(2) Q3:110: *kuntum khayra ummatin ukhrijat lil-nāsi ta'murūna bi'l-ma'rūfi wa-tanhawna 'ani 'l-munkar* ('You were the best community ever brought forth to men, commanding right and forbidding wrong'). See above, ch. 2, note 5.

(3) Q5:78f.: *lu'ina 'lladhīna kafarū min Banī Isrā'ila . . . kānū lā yatanāhawna 'an munkarin fa'alūhu* ('Cursed were the unbelievers of the Children of Israel . . . ; they forbade not one another wrong that they committed'). See above, ch. 2, 15f.

(4) Q5:105: *yā-ayyuhā 'lladhīna āmanū 'alaykum anfusakum lā yadurrukum man ḡalla idhā 'btadaytum* ('O believers, look after your own souls. He who is astray cannot hurt you, if you are rightly guided'). See above, ch. 2, 30f.

(5) Q7:164: *wa-idh qālat ummatun minhum: lima ta‘izūna qawman illāhu mublikuhum . . . qālū: ma‘dhiratan ilā rabbikum wa-la‘allahum yattaqūn* (‘And when a certain community of them said: “Why do you admonish a people God is about to destroy. . . ?”, they said: “As an excuse to your Lord; and perhaps they will be godfearing.”’ This is the story of the Sabbath-breaking fishermen). See above, ch. 2, 16.

(6) Q9:67: *al-munāfiqūna wa’l-munāfiqātu ba‘ḍuhum min ba‘ḍin ya’murūna bi’l-munkari wa-yanhawna ‘ani ’l-ma’rūf* (‘The hypocrites, the men and the women, are as one another; they command wrong, and forbid right’). See above, ch. 2, note 2.

(7) Q9:71: *wa’l-mu’minūna wa’l-mu’minātu ba‘ḍuhum awliyā’u ba‘ḍin ya’murūna bi’l-ma’rūfi wa-yanhawna ‘ani ’l-munkar* (‘And the believers, the men and the women, are friends one of the other; they command right, and forbid wrong’). See above, ch. 2, note 20.

(8) Q22:41: *alladhīna in makkannāhum fī ’l-arḍi . . . amarū bi’l-ma’rūfi wa-nahaw ‘ani ’l-munkar* (‘Those who, if We establish them in the land . . . , command right and forbid wrong’). See above, ch. 2, 14.

(9) Q31:17: *yā-bunayya aqimi ’l-ṣalāta wa-’mur bi’l-ma’rūfi wa-’nha ‘ani ’l-munkari wa-ṣbir ‘alā mā aṣābaka* (‘O my son, perform the prayer, and command right and forbid wrong, and bear patiently whatever may befall thee.’ The speaker is Luqmān). See above, ch. 2, 28f.

B. TRADITIONS

(1) *The ‘three modes’ tradition*

Marwān brought out the pulpit (*minbar*) on a feast-day, and started with the sermon (*khutba*) before the prayer.

So a man got up and said: ‘Marwān, you’ve gone against the normative practice (*sunna*)! You’ve brought out the pulpit on a feast-day, when it used not to be; and you’ve started with the sermon before the prayer!’

Then Abū Sa‘īd al-Khudrī said: ‘Who’s that?’ They told him it was so-and-so son of so-and-so. He said: ‘That man has done his duty. I heard the Prophet say: “Whoever sees a wrong (*munkar*), and is able to put it right with his hand (*an yughayyirahu bi-yadibi*), let him do so; if he can’t, then with his tongue (*bi-lisānihi*); if he can’t, then in his heart (*bi-qalbihi*), and that is the bare minimum of faith.”’ (Abū Dāwūd, *Sunan*, 1:677f no. 1140; see above, ch. 3, section 1.)

(2) *The 'three qualities' tradition*

It is not befitting for a man to command right and forbid wrong until he possesses three qualities (*khiṣāl*): [he must be] civil (*rafiq*) in what he commands and forbids, knowledgeable (*ālim*) in what he commands and forbids, and a man of probity (*ādī*) in what he commands and forbids. (Daylamī, *Firdaws*, 5:137f. no. 7,741; see above, ch. 3, note 59. Daylamī has it from the Prophet, but this is unusual.)

(3) *The saying about the tripartite division of labour*

Putting things right with the hand (*al-taghyīr bi'l-yad*) is for the political authorities (*al-umarāʾ*), with the tongue (*bi'l-lisān*) for the scholars (*al-ʿulamāʾ*), and in (or with) the heart (*bi'l-qalb*) for the common people (*al-ʿāmma*). (Abū ʿl-Layth al-Samarqandī, *Tanbīh al-ghāfilīn*, 1:101.1; see above, ch. 6, note 166. As in this case, the saying is usually quoted anonymously.)

APPENDIX 2

BARHEBRAEUS ON FORBIDDING WRONG

Gregory Barhebraeus (d. AD 1286), though best known to Islamicists as a historian, contributed broadly to the Syriac literature of the Jacobite (West Syrian) church.¹ The work that concerns us here is his *Ethicon*.² A characteristic feature of this book is its extensive dependence on the *Iḥyāʾ ʿulūm al-dīn* of Ghazzālī (d. 505/1111).³ Given this fact, it is no surprise to find that the chapter that Barhebraeus devotes to admonition (*martyānūtā*) and rebuke (*kuwwānā*)⁴ is essentially a Christian recension of Ghazzālī's account of forbidding wrong.

This relationship is not in evidence in the first two of the five sections of the chapter, to which I will return for just that reason. But it is transparent in the last three. The third section is concerned with the 'elements' (*eṣṭūksē*) of rebuke. As in Ghazzālī's account, there are four: (1) the rebuker (*mkawwnānā*); (2) the rebuked (*metkawwnānā*); (3) the offence (*saklūtā*); and (4) the manner of rebuke (*znā d-kuwwānā*).⁵ Within the latter, there are seven levels (*dargē*), which correspond to Ghazzālī's eight with some differences.⁶ The fourth section offers a conspectus of sins classified into five kinds. The first kind (*gensā*) are those that occur in churches, the second in shops (*ḥānwātā*), the third in streets (*plāṭawwātā*), the fourth in baths and the fifth at banquets. These correspond well to Ghazzālī's categories of wrongs.⁷ The final section is about reproving rulers, just as in Ghazzālī's

¹ See A. Baumstark, *Geschichte der syrischen Literatur*, Bonn 1922, 312–20 §51.

² Barhebraeus (d. AD 1286), *Ethicon*, ed. P. Bedjan, Paris and Leipzig 1898. The work is being edited anew and translated by H. G. B. Teule (Louvain 1993–).

³ See Teule's remarks in his introduction to the first volume of his translation (xxx–xxxii), and the comparison of parallel passages in appendix I of the same volume.

⁴ Barhebraeus, *Ethicon*, ed. Bedjan, 329–40. This chapter is still to come in Teule's edition and translation, but there is a helpful though brief summary of its contents in Teule's introduction to the first volume of his translation (xxvi). I am much indebted to Hubert Kaufhold for bringing this text to my attention, and to Sebastian Brock for responding to my queries.

⁵ Compare above, ch. 16, 428f.

⁶ Compare above, ch. 16, 438–41. ⁷ See above, ch. 16, 443–5.

account.⁸ At the same time, several specific points are carried over unchanged. Thus the offence must be out in the open (*metparsyā*).⁹ Likewise someone using harsh words to a potentate must know that he alone is thereby endangered.¹⁰ Barhebraeus ends his account, just as Ghazzālī does, by lamenting the fact that rulers are no longer rebuked as they were in the good old days.¹¹

Naturally a great deal has changed in the process. Much material has been jettisoned; the chapter Barhebraeus has given us is shorter than Ghazzālī's *kitāb al-amr bi'l-ma'rūf* by an order of magnitude. At the same time, Barhebraeus has thoroughly stripped out all the Islamic elements in Ghazzālī's account and given it an appropriate Christian colouring. In place of Ghazzālī's Muslim authorities, Barhebraeus invokes the Old Testament, the New Testament, the Church Fathers of the fourth century AD, and some more parochial figures;¹² indeed the second section is devoted entirely to a collection of material of this kind which tends to discourage rebuke. In place of Ghazzālī's examples of legitimate differences between law-schools, he cites the differing practice of Syrians and Greeks with regard to the day of the week on which they break their fast: each group inherits its practice from its teachers and fathers, neither is in sin, and neither may rebuke the other.¹³ In place of wrongs in mosques, we have sins committed in churches – though there is no lack of common ground. As to banquets, Barhebraeus has to limit his attack on liquor to excessive drinking, as opposed to the presence of wine as such.¹⁴ But one of Ghazzālī's arguments is effortlessly adopted by Barhebraeus: the rebuker must be a believer, since rebuking is vindicating the faith, and how could one who is not a believer do that?¹⁵ All that has changed here is the faith in which one has to believe.

There is nevertheless one difference between the two accounts that is of fundamental significance. Ghazzālī, like the Muslim scholars in general, is talking about a duty of believers as such. Barhebraeus, by contrast, limits

⁸ See above, ch. 16, 446.

⁹ Barhebraeus, *Ethicon*, ed. Bedjan, 333.19; compare above, ch. 16, 436. Likewise Barhebraeus tells us in his second level that one is not to investigate (*lā n'aqqeb*) a sin that has been committed in private (*ibid.*, 334.17; compare above, ch. 16, 438).

¹⁰ *Ibid.*, 339.14; compare above, ch. 16, 446. Such harshness is exceptional; the duty in respect of rulers does not normally go beyond instruction and admonition (cf. above, ch. 16, notes 33f., 121).

¹¹ *Ibid.*, 340.12; compare above, ch. 16, 446. Barhebraeus uses the term *parr(h)ēsīyā* to refer to the lost outspokenness (cf. above, ch. 19, note 11).

¹² See, for example, *ibid.*, 330.4, 330.7, 330.12, 332.2.

¹³ *Ibid.*, 333.20; compare above, ch. 16, 436f.

¹⁴ *Ibid.*, 339.3; compare above, ch. 16, 444f. By contrast, there is no disagreement with regard to troupes of musicians. ¹⁵ *Ibid.*, 333.7; compare above, ch. 16, 429f.

the duty of admonition and rebuke to those who wield ecclesiastical authority. He is, in other words, a clericalist of a kind we did not discover even among the Imāmī Shī'ites. This doctrine is formally inscribed in his account of the first of the four elements: the rebuker, he says, must be someone in authority (*rēshā*), such as a bishop, priest or deacon. The reason is that rebuke (*kumwānā*) is a form of command (*puqdānā*), and orders are issued to an inferior, not to a superior or an equal.¹⁶ This stipulation is doubtless linked to another noteworthy departure of Barhebraeus from Ghazzālī's account: the rebuker must be virtuous (*kē'nā*) himself.¹⁷ It also underlies the most significant divergence from Ghazzālī's pattern of levels. For Barhebraeus, the fifth level is threat, as in Ghazzālī's sixth level; but while Ghazzālī is talking about the threat of violence, for Barhebraeus what is threatened is exclusion from the Christian community.¹⁸ His next level is harsh talk combined with the reality of such exclusion.¹⁹ His seventh and last level is indeed violence, but he raises the possibility mainly to dismiss it. It is not for churchmen to act like the secular rulers of this world, who use punishment and force to rein in the wicked. And if a blow is occasionally needed, others should administer it.²⁰ At this point he considers an objection: if it is blameworthy to strike a sinner, how could Jesus have used a whip in cleansing the Temple?²¹ The answer is that he used the whip only to drive out dumb animals, not to strike those who were selling them, who were rational beings; thus in the case of those who were selling doves, he used admonition, not violence.²² Finally, in the discussion of rebuking rulers, Barhebraeus concerns himself exclusively with the role of the religious leader (*rēsh tawdītā*).²³

This leaves one feature of the Christianisation of Ghazzālī's doctrine that is of some comparative interest. Barhebraeus opens his account with a section-heading announcing the point that the duty to rebuke others is not one of solitaires (*īhīdāyē*) but rather of those who hold authority (*mdabbrānē*).²⁴ The correction (*turrāṣā*) of others, he explains, is the

¹⁶ *Ibid.*, 333.4; contrast Ghazzālī's rejection of the idea that the ruler's permission is required for forbidding wrong (above, ch. 16, 430f.).

¹⁷ *Ibid.*, 333.8; contrast above, ch. 16, 430.

¹⁸ *Ibid.*, 335.16; contrast above, ch. 16, 440f.

¹⁹ *Ibid.*, 335.19; cf. above, ch. 16, 439f.

²⁰ *Ibid.*, 336.7; contrast above, ch. 16, 441. Barhebraeus ignores Ghazzālī's armed bands.

²¹ *Ibid.*, 336.16. The reference is to John 2:15 (cf. above, ch. 19, note 133).

²² The reference is to John 2:16, where Jesus tells the dove-sellers to 'take these things hence'. ²³ Barhebraeus, *Ethicon*, ed. Bedjan, 339.9.

²⁴ *Ibid.*, 329.18. I follow Teule in translating *īhīdāyē* as 'solitaires' (see the introduction to the first volume of his translation, xxvi, xxxv no. 11); however, the term can also refer to monks – just as, etymologically speaking, a 'monk' is a solitary (*monachos*).

business of those whom God has appointed to proclaim His message: prophets, apostles, bishops, priests, deacons. By contrast, solitaries have only the duty of caring for their own persons, not for others.²⁵ In other words, they have dropped out of society, and can thus have no duty to rebuke those whom they have left behind. Thanks to the Šūfis, this idea is not totally unfamiliar to us.²⁶ But its centrality in the account of forbidding wrong that we owe to Barhebraeus highlights its marginality on the Islamic side of the fence. Ghazzālī himself, in a discussion of the advantages of the solitary life (‘*uzla*’), includes among them the fact that the solitary is not exposed to situations in which he would incur the duty of forbidding wrong.²⁷ It is an exigent and onerous duty: you fall into sin if you keep silent, and if you do not, you are likely to end up in the position of someone who tries to prop up a wall that is keeling over: when it falls on you, you wish you had left it alone.²⁸ But the Muslim solitary, on this view, merely avoids situations that would trigger the duty; his choice of lifestyle does nothing to exclude him from it in principle.

²⁵ Barhebraeus, *Ethicon*, ed. Bedjan, 330.5. Cf. above, ch. 19, note 10.

²⁶ See esp. above, ch. 16, note 288. ²⁷ Ghazzālī, *Iḥyāʾ*, 2:208.26. ²⁸ *Ibid.*, 208.35.

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If a book bears more than two places of publication, I normally mention only the first.

Where possible, I give names of authors in minimal forms.

In the wording of titles, I usually follow the title-page of the book; the title that appears there may or may not have been chosen by the original author.

To save space, I have tended to be sparing in citing translations.

In addition to the material listed below, I have made limited use of archival sources. The main item here is British consular dispatches from Jedda preserved in the Public Record Office, London, which I have used in section 4 of ch. 8; there are also a few documents from the Başbakanlık Arşivi, Istanbul. With regard to newspapers and journals, apart from the numerous items listed below, I have occasionally cited reports from the *New York Times*, the *Chicago Tribune*, *al-Mūjaz ‘an Īrān*, *al-Ḥayāt*, *Turāthunā*, and the ‘Notizie varie’ of *Oriente Moderno*; extensive use of the Meccan newspaper *Umm al-qurā* is made in section 4 of ch. 8.

My transcription of Arabic, here and in the body of the book, follows Anglo-Saxon conventions by *taqlīd*; were I to exercise *ijtibād* in this matter, I would adopt the system now used in Germany and France.

In transcribing Persian, my primary concern has been to minimise divergences between forms of names and terms that appear in both Persian and Arabic. My transcription is thus archaising and Arabising.

In transcribing Turkish, I have had the same concern, but I have also been pulled in the other direction by modern Turkish orthography. The result is a spectrum; what I have done in any given case has depended on

such factors as whether an author is writing in Turkish or Arabic, whether a text dates from the high Ottoman, late Ottoman or Republican period, whether I am transcribing a whole passage or just a name or a title, and what I could and could not bring myself to write.

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POSTSCRIPT

To 236 note 69:

The work of Ḥusayn ibn Aḥmad ibn Ya‘qūb is published (ed. ‘A. M. al-Ḥibshī, Ṣan‘ā’ 1996).

To 396 note 19:

The forthcoming study mentioned here is P. Crone and F. Zimmermann, *The epistle of Salīm ibn Dhakwan*, Oxford 2000.

To 478 note 73:

A more striking example is found in the Turkish translation of a letter written by imam Yaḥyā to the Ottoman governor in 1324/1906. Here he swears that he is not seeking power (*riyāset dā‘ıyesinde değılim*), and that he has no ambition beyond forbidding wrong (*emr-i ma‘rūf ve nehy-i münkerden başka emelimiz yokdur*). See (Meḥmed) Memdūḥ (Pasha) (d. 1343/1925), *Yemen ıslāḥātı*, Istanbul 1325 (*mālī*), 104.4, drawn to my attention by Şükrü Hanioglu.

INDEX

This index includes thematic entries, many of which will be found as sub-entries grouped together under “forbidding wrong” and “forbidding wrong, duty of.” The former deals with what one is to forbid, how, and to whom. The latter treats questions of obligation. Wherever there is a doctrinal issue at stake, with divergent opinions, these entries are broken down by the various sects and schools in the manner used throughout the book. Note especially that, according to this arrangement, modern developments in Imāmī Shī‘ism are listed under “modern developments,” not under “Imāmīs.”

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